

DRAFT Response to Comments – ODAFF Program Authorization, 11-20-12

Commenter	Comment ID	Comment(s) <i>Text as it appears in correspondence to EPA</i>	Response Code
Jackie Gaston		Furthermore, ODAFF does not have jurisdiction over a large portion of discharges, which are under the jurisdiction of either the Oklahoma Department of Environmental Quality or the Oklahoma Corporation Commission, as noted in the Supplementary Information section of the Federal Register Vol. 77, No. 85/Monday, September 24, 2002/Notices, p. 5883.	Jurisdickt
Red Goldfarb		In this state, the Dept. of Ag is not even in charge of all the spills because the Corp Com and Dept. of Environmental Quality control some of it.	Jurisdickt
Ms. Mercedes Lackey		(The ODAFF) also has a dangerous conflict of interest: how can a Department promote the very industry they are also supposed to police?	01
Mr. Nicholas Hartman		... and also has a dangerous conflict of interest: how can a Department promote the very industry they are also supposed to police?	01
Roseanne Hartman		...and also has a dangerous conflict of interest: how can a Department promote the very industry they are also supposed to police?	01
Mr. Rodney & Terri Jones		...and also have a dangerous conflict of interest: How can a Department promote the very industry they are also supposed to police?	01
Ms. Bobbie Daily		...and believe that it is a conflict of interest, plus even perhaps an ethical question to have the Dept of Agric in charge of permitting	01
Scott Dittner		...instead of turning them over to some organization who is tied to the very organizations/businesses that are trying to usurp the intent of our laws.	01
Virginia Sue (Susie) Shields		<p>As a non-technical person, I would like to provide my concerns regarding the assignment of Oklahoma NPDES permitting and enforcement to the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) in layman's terms. In my experience over the past sixteen years of dealing with ODAFF, they have been controlled by the Pork Council (which consists of representatives from CAFO operators) and the Farm Bureau (an insurance company primarily for CAFOs) with several highly paid lobbyists. My sister is the top Oklahoma producer of Berkshire show pigs and a member of the Pork Council, but they do not give her the time of day. I do not see how ODAFF can bite the hand that feeds them to keep the CAFO operations in line.</p> <p>If EPA could oversee the hiring of the staff members for the new CAFO permitting section, I would feel much better. They should have a background check to see which CAFO owner they are related to or friends with. That is often how state government works in Oklahoma.</p> <p>Personally, I think ODAFF has a huge conflict of interest since they are primarily a promotional and cheerleading outfit for "Big Ag", not a regulatory agency.</p>	01
Kathy Tibbits		As an attorney, I have practiced before the Oklahoma Department of Agriculture on permitting. Moving CAFO licensing to state permitting is a poor idea that would effectively abrogate and roll-back any enforcement because	01

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		the department is 'captured' as an advocate for industry and would not have the ability to even comprehend itself in a role as protecting the environment.	
Mr. Montie Jones		As outlined below, it is my understanding that the Department of Agriculture, Food, and Forestry has neither the mission nor the resources to realistically protect the people and environment of the state of Oklahoma from pollution and other health hazards that result from the operations of CAFO's. This is definitely a conflict of interest that will only lead to disastrous conclusions.	01
Mr. Scott Hood		As the National Leadership Council member of Trout Unlimited in Oklahoma I represent over 900 members of Trout Unlimited in the State of Oklahoma and I am confident that I can speak for nearly every single one of them that this is a very bad idea. This is a classic example of the fox guarding the hen house and it should not be allowed.	01
Mr. Charles Kaminski		As the President of the 89er Chapter of Trout Unlimited in Oklahoma City, I represent over 460 members of Trout Unlimited and I am confident that I can speak for nearly every single one of them that this is a direct conflict of interest. Our process works best when there is a system of checks and balance - allowing the ODAFF to have total oversight for this program and the permitting function eliminates the balance portion and essentially sets up a system of nothing but checks.	01
Dr. Cindy Pilgrim		Come on. This is a conflict of interest for Pete's sake!	01
Mrs. Mary Lea Wallace		Don't hire the foxes to guard our chickens.	01
Ms. Tam Jordan		DON'T LET THE FOXES GUARD THE CHICKEN HOUSES!!!	01
Doreen Engler	Hear	<p>Doreen Engler, just a concerned citizen, here representing myself. As a new citizen to this state, after today's hearing I think, while it's clear that a lot of work has been done to get this program off the ground, and I commend those involved who've done that, I think still more work needs to be done.</p> <p>My personal experience working in a state legislature, not here, in another state, leads me to believe that the more state agencies involved in regulating industry, the less that gets done. And as we can see even today, there's confusion between two state agencies about who's going to be regulating what.</p> <p>And so today I'm advocating that the state legislature, not any other agency involved, really take a step back. I know we have a representative here. And I would encourage you to take a step back and really determine if ODAFF is really the best equipped to take on this responsibility.</p>	01
Mr. James Nimmo		How can a Department POLICE the very industry they are also supposed to PROMOTE?	01
Pat Hoerth		How can we expect the state agency responsible for expanding agriculture and livestock production to take strong and effective enforcement action against the state's largest agricultural producers -- Concentrated Animal	01

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		Feeding Operations (CAFOs) -- who are the most likely to commit fineable offenses?	
Phyllis Bryant		How could ODAFF even hope to get effective control over big polluters in the CAFO industry when the same producers sit on the governing board of the agriculture agency?	01
Mrs. Janet Hornsby		I am against this conflict of interest.	01
Dr. Elizabeth Bergey		I am an aquatic biologist by training, and also have an educational background (and Peace Corps experience) in animal husbandry. ODAFF has a vested interest in NOT protecting Oklahoma's waters from agricultural pollutants.	01
Miss Kelsey Spears		I am concerned that the Oklahoma Department of Agriculture would put profits over protecting our clean water in Oklahoma. Please stop this from happening.	01
Mr. Brian Figgins		I am gravely concerned about a conflict of interests when the department created to promote the industry also wants to control the controls and fines leveled on that same industry. Let us not have the watchdog also be the cheerleader.	01
Ms. Ann Bornholdt		I believe the agency charged with policing compliance should be separate from the agency responsible for promoting the activity. Just like it makes no sense to have Porche police our highway speed limits, it makes no sense for ODAFF to administer the NPDES program.	01
Mr. Gregory Dickson		I do not have confidence that the ODAFF will be a good steward in monitoring the discharge of intensive agricultural operations.	01
Mrs. Rachel Gurfinkel Hicks		I do not trust ODAFF to regulate themselves in the interest of Oklahoma residents.	01
Fran Stallings		I see a conflict of interest for ODAFF, if it tries both to promote large feedlot operations and to monitor the pollution they can produce.	01
Mr. Chadwick Cox		I simply believe a political body whose main mission is to promote an industry should not also have regulatory responsibilities for that industry. This has been proven to be disastrous before as in the nuclear energy industry.	01
Red Goldfarb		<p>I thought I heard everything until somebody told me the EPA is about to let the OK Dept. of Ag regulate water pollution spills for CAFOs and pesticides in Oklahoma. Not the Dept. of Environmental Quality like other states, but the state agency already in bed with Big Agriculture is going to fine their rich buddies for polluting the water and fouling up the air the rest of us have to drink and smell. That will happen when chickens have lips and snakes have hips!</p> <p>The Dept. of Ag has the clearest possible conflict of interest which will make strong regulation totally impossible.</p> <p>We will be sorry if EPA lets the fox watch this hen house in Oklahoma.</p>	01
David Dyer		I would like to have clean water and ODAFF does not represent my best interests!	01

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Mrs. Angela Moffatt		If the agency has a conflict of interest, it should not be allowed to police CAFO pollution.	01
Colata Harlan		If the EPA lets the fox watch this hen house in Oklahoma, who will protect citizens, property and businesses from CAFO owners...	01
David Ocamb		<p>In recent media, and here today, they claim a very limited number of their employees work in this capacity. First off, if this is true, then that agency showed a distinct lack of true leadership. An organization's very mission should be at the very forefront of every employee's mind.</p> <p>I certainly know at the Sierra Club every single employee, from the human resources person all the way to the CEO and executive director, is dedicated to exploring, enjoying and protecting our planet. I would certainly hope, and everything I've seen tells me this is the case, that every employee at the EPA is dedicated to protecting human health and the environment.</p> <p>Next, even if we accept this is true, what happens when that single enforcement person hired under this plan wants to publicize a violation? Clearly, this doesn't promote industry. Even if they do not cover up those violations, the very appearance of this conflict of interest will cast every decision they make into doubt.</p>	01
Mr. Joey Paz		It is an egregious and dangerous conflict of interest.	01
Dr. Valerie Fuller		It is clearly a conflict of interest.	01
Mrs. E. Sharon Wilson		It is inconceivable that the (ODAFF) could be unbiased on issues dealing with feedlots.	01
Mrs. Leslie Smith		Let's not risk this possible conflict of interest.	01
Colata Harlan		Letting the Oklahoma Department of Agriculture regulate the corporate ag industry they also promote reminds me of letting the fox watching the hen house.	01
Mr. John Hartman Mr. Nicholas Hartman		Now that the ODAFF has applied to take over this permitting function. The ODAFF also has a dangerous conflict of interest: how can a Department promote the very industry they are also supposed to police?	01
Ms. Jean McMahon		<p>Now they want the fox to guard the henhouse..</p> <p>The dept of agriculture works for BIG AG (industrialized operations)...No Good can come from this conflict of interest...</p>	01
Pat Hoerth		ODAFF clearly has a conflict of interest in attempting to concurrently promote and regulate the same industry,	01

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		especially when that industry has, by EPA's definition, a potential pollution profile.	
Colata Harlan		ODAFF clearly has a conflict of interest in attempting to concurrently promote and regulate the same industry, especially when that industry has, by EPA's definition, a potential pollution profile. How can we expect the state agency responsible for expanding agriculture and livestock production to take strong and effective enforcement action against the state's largest agricultural producers -- Concentrated Animal Feeding Operations (CAFOs) -- who are the most likely to commit fineable offenses? This seems most unlikely when you consider some of those same producers sit on the Board of Agriculture that directs ODAFF and hires the division directors making these decisions.	01
Mr. Paul Moore		ODAFF protecting the environment is a good example of the wolf guarding the hog house.	01
Rev. Mildred Banks		ODAFF should not take over permitting, because they have a conflict of interest and...	01
Ms. B. Geary		ODAFF would obviously have a conflict of interest. I believe the new ODAFF responsibility to protect water quality would likely take a back seat to ODAFF's traditional role of promoting the interests of large CAFOs.	01
Colata Harlan		Perhaps the conflict between promotion and regulations is the reason.	01
Tim Wagner		Perhaps the conflict between promotion and regulations is the reason.	01
Mr. Thomas Kovach		Please do not let the fox guard the hen-house. We have had major issues with water quality and we must not let up on the safeguards by shifting oversight to those whose job it is to promote the industry that is doing the polluting.	01
Jeff Brown		Please prevent this huge conflict of interest from occurring and ...	01
Donna Davis		Putting the fox to watch the hen house is the very definition of hypocrisy. Get real.	01
Lydia Garvey		Severe Conflict of Interest!!! Like the wolf guarding the henhouse- Highly inappropriate!	01
Mrs. E. Sharon Wilson		The Agriculture Depar(t)ment effectively promotes production agriculture and is heavily influenced by the farm lobby including the Oklahoma Farm Bureau and pork producers. I don't believe the department can be objective in regulating factory farming operations.	01
Ms. Aharen Richardson		The conflict of interest between ODAFF, CAFO's and our environment endangers our beautiful Oklahoma land and water.	01
Dr. Michael Beilfuss		The conflict of interest is clear here.	01

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Mr. David Franklin		The department of Ag does a good job advocating for agriculture in Oklahoma but this is a job where someone needs to advocate for water first. Do not transfer the authority to someone who would be conflicted when making judgment calls.	01
Mr. Erwin Hancock		The Department of Agriculture has a clear conflict of interest as pertains to issuing permits.	01
Ms. Mary Francis		The Dept of Agriculture is about providing "consultation and advice" to the industry and "increasing the contribution of agriculture to the economy." READ the issues this bad proposal creates - see below! (<i>Sierra Club, Four Comments</i>)	01
Ms. Martha Holland		The mission of the ODAFF is primarily to meet the needs of farmers and ranchers and promote agricultural trade and production. This provides a clear conflict of interest with ensuring large CAFO operations adhere to the discharge limits under the Clean Water Act.	01
Denise Deason-Toyne Dr. Jim Nelson		The mission of the Oklahoma Department of Agriculture is to further production agriculture. Because of this, it would not be in the public's best interest for the department to control CAFO permits.	01
Mr. Jeff Brown		The ODAFF clearly has a conflict of interest when it comes to this nor the adequate resources to handle.	01
****See Attached List of Commentors	SC1	<u>The ODAFF has a conflict of interest.</u> The mission of the ODAFF is primarily to meet the needs of farmers and ranchers and promote agricultural trade and production. This provides a clear conflict of interest with ensuring Clean Water protections.	01
David Ocamb		The Oklahoma Department of Agriculture Food and Forestry cannot adequately safeguard our state's water supply. An integral part of their very mission is to promote the agriculture industry.	01
Mr. Mike Dumford		The Oklahoma Department of Agriculture, Food and Forestry's (ODAFF) neither has the resources nor the inclination to vigorously regulate this waste.	01
Ms. Mary Francis		The Oklahoma Department of Agriculture, Food, and Forestry can NOT ensure large CAFO operations adhere to discharge limits under the Clean Water Act, because they basically promote these businesses, not regulate. Read their MISSION STATEMENT.	01
rtandwj@cox.net		The Oklahoma Dept of Agriculture has applied to the EPA to take over the wastewater permitting program for CAFOs, pesticides, and other agriculture related discharges. This agency has a history of promoting – not regulating – agriculture.	01
Mr. Tyler Sullivan		This conflict (o)f interest could lead to contamination of us and our environment.	01
Michael Givel		This disturbing application, if approved would leave an agency with historic ties to Big Agriculture in charge of discharges related to CAFO in Oklahoma. This is clear conflict between the mission of ODAFF and making sure that CAFO operations are in compliance with the Clean Water Act.	01

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Colata Harlan		This is a conflict of interest because ODAFF could not concurrently promote and regulate the same industry. It's a mistake to believe that ODAFF could regulate the CAFO industry when some of those same producers sit on the Board of Agriculture that directs ODAFF and hires the division directors making these decisions.	01
Mr. Chris Gibson		This is a serious conflict of interest	01
Mr. Pat Daly		This is an obv(i)ous conflict of interest.	01
Mrs. Teresa Tucker-Trainum		This is like having the hawk run the chicken house. It is a conflict of interest!	01
Ms. Debe Judah		This is very disturbing. I believe it is a conflict of interest.	01
Dr. Valerie Fuller		This is, at best, a huge conflict of interest...	01
Mrs. Talin Schotters		this seems like a conflict of interest and should not be allowed.	01
Mr. Richard Davis		This was a complete conflict of interest in my mind due to the ODAFF trying to please the large agricultural company without any regard to the surrounding properties and neighbors.	01
Jackie Gaston		This would a conflict of interest because ODAFF could not concurrently promote and regulate the same industry – especially when CAFO producers sit on the Board of Agriculture.	01
Mrs. Lee Anne Hiller		This would be an obvious conflict of interest--they would NOT be able to oversee an industry that they support. The water quality of Oklahoma must be maintained by an organization without ties to Concentrated Animal Feeding Operations.	01
Mrs. Shirley Bryant		This would be insanity - expecting the enablers to police the polluters. How many times do the people of OK have to pay - \$ and health-wise - for the conflict of interest of underfunded departments with conflicts of interest re big business ignoring our environmental needs?	01
Mrs. Nancy Sander		We are cattle ranchers, and have interest in protecting the rights of animal producers in Oklahoma. However, there will be a transparent conflict of interest if the Department of Agriculture administers any clean water protection authority. The conflict is obvious, and...	01
Mrs. Abby Dougherty		We need a policing group that doesn't have such a conflict of interest.	01
Dr. Fran Stallings		We need ODAFF to be an impartial and scientific advisor to our states' farmers and ranchers.	01
Ms. Debe Judah		You don't put a fox in charge of watching the hen house.....!!!	01

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Red Goldfarb		...plus enough money, people and real interest in keeping water quality up and getting the job don't right. Trust me on this. We don't have any of that in OK if the Dept. of Ag is in charge.	02
Tim Wagner		According to the Federal Register, EPA may authorize a state to administer an equivalent state program if the state has a program sufficient to meet the act's requirements. In terms of proposed budget, human resources and intent to protect water quality, ODAFF does not.	02
Colata Harlan		According to the Federal Register, EPA may authorize a state to administer an equivalent state program if the state has a program sufficient to meet the act's requirements. In terms of proposed budget, human resources and intent to protect water quality, ODAFF does not.	02
Michael Givel		Additionally, ODAFF has not demonstrated that it can adequately enforce CAFO clean water standards related to inadequate enforcement funding and enforcement personnel in ODAHF.	02
Colata Harlan		After struggling with 20 percent state budget cuts in recent years, ODAFF needs new revenue sources. One wonders, however, why there is no income proposed in the proposed budget from the collection of CAFO fines – unless the agency doesn't plan to fine CAFOs.	02
Mr. Montie Jones		As outlined below, it is my understanding that the Department of Agriculture, Food, and Forestry has neither the mission nor the resources to realistically protect the people and environment of the state of Oklahoma from pollution and other health hazards that result from the operations of CAFO's. This is definitely a conflict of interest that will only lead to disastrous conclusions.	02
Red Goldfarb		Dept. of Ag has to promote this growth to fund their new program and make up for budget cuts. This thing is just a fundraiser for the Dept. of Ag after 20% state budget cuts over the past few years left them in the hole.	02
Mrs. Hannah Harder		Handing this important regulation key to this overtaxed underfunded agency would be a disaster.	02
Mr. Philip Delacruz		History shows that the state of Oklahoma does not have the resources (or political will) to ensure compliance by large Agg companies. We need to protect our waters.	02
Virginia Sue (Susie) Shields		How will ODAFF pay for this new program?	02
Ms. B. Geary		I believe ODAFF has neither the expertise nor the budget to administer the discharge program.	02
Mr. Randy Ledford		If in fact, the ODAFF currently does have responsibility to promote the industry and lacks sufficient resources to properly monitor and/or enforce compliance....	02
Ms. Ann Bornholdt		If we are trying to be efficient with our tax dollars, why do we want to take on additional administration duties? What will be the source of funds for program administration?	02

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Denise Deason-Toyne Dr. Jim Nelson		It has been our experience that the Oklahoma Department of Agriculture does not have the resources to adequately inspect factory farming operations and to enforce existing regulations.	02
Mr. Pat Daly		No budget or truly adequate staff	02
Mr. Larry Bailey		ODAFF does not have THE FUNDING ... to administer this program.	02
Mr. Rick Poland		Oklahoma's state government has been cut to the bone and does not have the financial resources to take on this task.	02
Mrs. Teresa Tucker-Trainum		Please do not allow the Ok Dept of Ag to decide the discharges for the CAFO's in my state. They do not have the manpower or budget to do it and it will fall along the wayside and our waters will become more polluted.	02
Colata Harlan		Since this state agency has taken 20% state budget cuts, it is not feasible to add new responsibilities without considering: How will they pay for this new program?	02
Mr. Joseph Spitz		State agencies are underfunded	02
Ms. Andrea Teter		That coupled with inadequate funding would lead to disaster for our Oklahoma environment.	02
****See Attached List of Commentors	SC2	<u>The ODAFF does not have adequate resources</u> The state of Oklahoma has recently undergone significant budget cuts. From fiscal year 2009 to fiscal year 2013 the department underwent a 20% reduction in funding.	02
Roseanne Hartman		The ODAFF does not have the resources to ensure CAFO's adhere to the Clean Water Act,	02
Mr. Rodney & Terri Jones		The ODAFF does not have the resources to ensure CAFO'S adhere to the clean Water Act...	02
Mr. Nicholas Hartman		The ODAFF does not have the resources to ensure CAFO's adhere to the Clean Water Act, ...	02
Mr. John Hartman Mr. Nicholas Hartman		The ODAFF does not have the resources to ensure CAFO's adhere to the Clean Water Act,	02
Ms. Mercedes Lackey		The ODAFF does not have the resources to ensure CAFO's adhere to the Clean Water Act,	02
Ms. Wilma Hays		The Oklahoma Department of Agriculture cannot adequately regulate the recent acquired task of puppy mill operations. The funding just isn't available.	02
Mr. Mike Dumford		The Oklahoma Department of Agriculture, Food and Forestry's (ODAFF) neither has the resources nor the inclination to vigorously regulate this waste.	02

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Mrs. Suan Schmidt		Their budgets have been cut.	02
Lydia Garvey		they don't have resour(c)es/inclination to enforce the CWA	02
rtandwj@cox.net		This agency has taken a 20% budget cut in recent years...	02
Mr. Larry Bailey		(ODAFF does not have the) ability to administer this program.	03
David Ocamb Sierra Club		4) ODAFF proposes insufficient staffing for enforcement. While ODAFF commits that "ODAFF shall maintain a vigorous enforcement program[,] ODAFF has instead dedicated only one Full Time Equivalent "FTE" for enforcement for the entire state of Oklahoma. Spreading one person across the entire state to even attempt enforcement is patently ridiculous and cannot yield "vigorous enforcement." Assuming the highest level of good faith on the part of the person responsible for enforcement by ODAFF, it is not possible for one person to regulate hog and chicken farms from Beaver to Idabel and from Miami to Lawton. Accordingly, ODAFF's entire program is "less stringent" than federal enforcement currently existing, and fails to meet the requirements of Section 501 of the Clean Water Act.	03
Mrs. Suan Schmidt		Adding four new staff, of which three would be mid-level management, makes no sense. There needs to be more enforcement officers and they need to know they are expected to uncover and eliminate abuses that lead to water contamination. Right now the signals are mixed.	03
Jeff Brown		Additionally, the ODAFF does not have the human capital to administer	03
Virginia Sue (Susie) Shields		After the permitting process is completed, how many inspections will they conduct and who will do them? What kind of enforcement authority will they have and how will they use it? How many more people will they be hiring and how influenced will they be by "Big Ag"?	03
Ms. Linda Gibson		As a retired State Employee I am aware of the many cuts in State Employee front line positions. The very jobs that would indeed monitor the Clean Water Act.	03
Colata Harlan		Despite plans for unprecedented annual growth in the number of CAFOs, ODAFF proposes hiring only eight new employees, who would join 22 current staff with other assignments to form the new Agricultural Services Management Division.	03
Colata Harlan		Further demonstrating a preference for industry growth over regulation, ODAFF would assign only one new enforcement officer to protect and improve the state's waters, while four new staff would issue permits and licenses to expand the CAFO industry. The remaining three positions would be new, mid-level managers.	03
Tim Wagner		Further demonstrating a preference for industry growth over regulation, ODAFF would assign only one new enforcement officer to protect and improve the state's waters, while four new staff would issue permits and	03

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		licenses to expand the CAFO industry.	
Colata Harlan		How many more people will they be hiring?	03
Jackie Gaston		ODAFF proposes only one new enforcement officer to investigate, and resolve or litigate spills for the whole state, indicating they do not even intend to take that responsibility seriously.	03
****See Attached List of Commentors	SC2	The ODAFF does not have adequate resources Additionally, the ODAFF does not have the human capital to administer this program. They have not done so in the past and do not have the expertise to ensure full compliance with the Clean Water Act.	03
Rev. Mildred Banks		they have inadequate staff to do the job effectively.	03
Colata Harlan		Will one new enforcement officer be enough to handle the new workload, if the point source discharge program is transferred from EPA to the state?	03
Mr. Steve Trammell		With the budget cuts currently happening in state agencies manpower to enforce clean water provisions does not exist.	03
Colata Harlan		Would ODAFF have enough staff available to investigate, and resolve or litigate these spills. ..	03
Phyllis Bryant		Yet ODAFF plans to have only one new enforcement officer to protect and improve the state's waters, while four new staff would issue permits and licenses to expand the CAFO industry.	03
Kathy Tibbits		Existing regulatory performance is superficial at best, and often perfunctory and nonexistent.	04
Mr. Richard Davis		<p>I have been involved with a feedlot that is near my home. In the past the facility was not being managed properly. They had dust and water problem at the facility and carried over to ours, and neighbor's homes and property. We complained to the ODAFF several times, and they failed to do anything about the facility. Only when we complained to the ODEQ and the EPA did anything happen. In fact the facility now has numerous EPA administrative orders against them and has had to rebuild and change operation procedures to remedy their pollution of our air and water. The facility is still being sanctioned by the EPA to clean up their facility and improve their best management practices. The EPA has been doing a water study for over 6 years, and has determined that the facility has indeed polluted the water in the area, and must adhere the EPA orders.</p> <p>The ODAFF did nothing and told us the facility in compliance at that time. The EPA ruled otherwise and immediately places the facility under administrative orders, and to come up with plans of action to reduce and eliminate the pollution the facility was responsible for.</p>	04

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		<p>What has made the ODAFF think that now they have the expertise to approve a permit when they can't determine that pollution exists?</p> <p>The ODAFF tried to make us believe they the feedlot was good for the community and or the State of Oklahoma, without even thoroughly investigating our concerns. They simply tried to ignore us.</p>	
Mrs. Shirley Driever		<p>I would ask that you check EPA's files regarding a CAFO located in Watonga, OK, Blaine County. The problems stem from ODAFF's failure to monitor & assist people that live in the area. The name of the facility is Wheeler Brothers Feedlot & is in close proximity to the town.</p> <p>I would urge you to not okay a situation that will only get worse, as experiences dealing with the ODAFF to do their jobs regarding a CAFO is a joke & yes, it was stated to us they don't have the manpower.</p> <p>I would look closely to the person and/or persons wanting this passed. This is not good for the State that you want to continue to be proud of.</p>	04
****See Attached List of Commentors	SC3	<p><u>Oklahoma has a history of problems with CAFO operations</u></p> <p>As evidenced by the many lawsuits against CAFO's in our state, including the State of Oklahoma suing CAFO's in Arkansas for excess nitrogen and phosphorous emissions into our rivers, Oklahoma has a dark history with CAFO's.</p>	04
Mr. Rick Poland		The OK Dept of Ag does a very poor job of regulating the industry when it comes to pollution.	04
Denise Deason-Toyne Dr. Jim Nelson		The Oklahoma Department of Agriculture seems to have had little success to controlling the pollution from these farms.	04
Dr. Charles Wesner		The Oklahoma Dept of Ag has a long disgraceful record in regard to Cafo regulations and (e)nforcement. Nothing has changed that would make this body competent to take over the permitting of CAFOs in Oklahoma.	04
Mr. Joel Hudson		We have a feedlot just on the east edge of our town. The story in town is they have tried to get permits to make it larger and have been turned down. If the ODAFF is in charge the will proba(b)lly get it(.) It is after all their job.	04
		<p>...and do they even intend to take that responsibility seriously (<i>to investigate, and resolve or litigate these spills</i>)?</p> <p>Assurances in Section VI Enforcement of the Memorandum of Agreement between EPA and ODAFF promise immediate correction of violations which endanger public health or the environment, page 28. However, the Enforcement Management System's (EMS's) Chapter , page , describes an enforcement process involving seven reviewing officials. The EMS apparently takes a more lenient approach to enforcement than the MOA:</p> <p>The enforcement responses are suggested responses and reflect the enforcement actions available to the</p>	05

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		ODAFF.... Strict compliance with this guidance is not necessary as the ODAFF maintains enforcement discretion.	
Mr. William Cunningham		Oklahoma will not protect the environment for the general public.	05
Red Goldfarb		Their budget shows income from giving out permits and licenses, but not from fining anybody in Big Ag -- which has a history of horrible pollution spills in Oklahoma that get cleaned up at taxpayer expense. Looks like they already don't expect to write anybody up or collect any fine money.	05
Mrs. Suan Schmidt		They may want the job so they can collect the permit fees but I don't have faith in their intention of performing the level of investigation, oversight, and litigation required to prevent abuse by the agriculture industry	05
Colata Harlan		What kind of enforcement authority do they have and how will they use it?	05
Red Goldfarb		Besides isn't that supposed to be something the federal government controls between states when spills from other states leak over into Oklahoma and our spills leak over into other states?	05
Colata Harlan		How many inspections will they conduct and who will do them?	05
****See Attached List of Commentors		<u>Oklahoma CAFO Operations impact other States</u> As stated above, Arkansas CAFO operations impact Oklahoma. Oklahoma operations, likewise, directly impact other states. The most logical body to administer the permitting process is the federal government, which has an obligation to protect all US water sources and not a single state.	06
Rachele Aisen		Other states are affected	06
Mrs. Anneliese Henderson		We must also consider our neighbors; they will be affected by this.	06
Lydia Garvey		- I don't want cow shit/urine/chemicals in My water!!! Do your job- Protect Our lands, waters, health, & wildlife!	07
Mr. Pat Daly		- The ODAFF is not capable of holding CAFO's to acceptable pollution standards.	07
Dr. Elizabeth Bergey		Although most Oklahomans recognize the existence of regional water shortages, few suspect that Oklahoma has widespread problems with water quality (although blue-green algal blooms during the past 2 summers is a good indicator). Poor quality water has limited use for water supplies and recreation. ODEQ data from 2008 how poorly Oklahoma waters meet water quality standards. Lakes are more comprehensively monitored than flowing waters and the vast majority of lake area fits in Category 5 waters with impaired water quality that require one or more TMDLs (Total Maximum Daily Load). Of the 32,400 miles of rivers and streams considered, over 60% had no data (Category 3) and of the miles with complete data (Categories and	07

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		3), almost 99% are impaired. In other words, only 2 of the 32,400 miles are known to be un-impaired. Similarly, only five of over 4,000 water bodies are known to be unimpaired. Allowing the ODAFF to issue permits for discharges from concentrated animal facilities would result in regional worsening of ou(r) already poor water quality.	
Mr. Stephen Frazier		Aren't we having enough water problems in Oklahoma already without allowing animal waste to be discharged into our water supplies? Require the CAFO operations clean the water before discharging it into our streams and rivers. We already have ENOUGH water pollution in this state.	07
Ms. Christina Kunz		As a lifelong Oklahoman, I value clean water, and the peace of mind about clean water. Livestock waste is a huge contributor to pollution in our water, and we don't need any more cutting corners when it comes to our water. Giant agribusinesses can afford to dispose of their waste in a proper manner instead of polluting our water and passing the buck to the taxpayers.	07
Mr. Randy Ledford		Clean water continues to be a very important and ...	07
Mrs. Leslie Smith		Clean water is extremely important.	07
Ms. Robin Patten		Clean water is important for everyone.	07
Mr. Carl Barnwell		Clean water is of the greatest importance !	07
Mr. John Havens		Clean Water is the issue. We must take care of this resource.	07
Mrs. Michelle Price		Clean water resources are a huge issue and Oklahoma has the opportunity to be ahead of the rest by protecting what we still have - for our children's sake.	07
Michael Givel		Compounding this problem are numerous lawsuits filed against CAFO operations in Oklahoma. The use of this regulatory approach would take away a vigorous means to enforce the Clean Water Act through the courts.	07
Bill Lamb		Don't pollute our water.	07
Miss Charisse Piros		Granting this permit would further endanger our water quality.	07
Mrs. Donna Waltman		I am against water pollution because I want clean water to drink.	07

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Ms. Jean McMahon		I have worried about pig manure runoff for years. Okla had made a law that prevented concerned citizens from taking specimens of water to test for problems...	07
Red Goldfarb		I heard that when a state takes over regulating water spills for the EPA, that state is supposed to have standards at least as strict as the EPA	07
Ms. Maria Welding		I oppose all harmful discharges from Industrie(s) in to Oklahoma waters	07
Mr. Jimmy Stewart		I WANT CLEAN WATER IN OKLAHOMA!	07
Mr. Robert Justice		I would rather have clean drinking water, and clean lakes and rivers than cheap beef or chicken! Stop this absurdity before you destroy our water supply!	07
Larry Shepard		If a company is to operate in our state, they should be prepared to keep the air and water clean, and if they mess it up, they should pay the cost to do so.	07
Ms. Linda Gibson		If Okla. is to grow and its population to become healthy, we must safeguard our air and water. We must not cater to any industry at the expense of pollution for all!	07
Mr. Patrick Spurlock		If you do not turn away from your current course of action, the results could be disastrous for those who depend on our state's groundwater and river water for things ranging from drinking all the way to bathing and that's just the tip of the iceb(e)rg.	07
Mr. Steve Trammell		In order to protect the water of Oklahoma this application should be denied.	07
Mrs. Linda Langmacher		It is critical that our water supply be protected!	07
Dr. Susan Caldwell		It is essential that we oppose such pollution!	07
Lydia Garvey		It violates the Clean Water Act,	07
Ms. Catherine Johnson		Keep my water clean,...	07
Ms. Rebecca Oberlin		Keep our water healthy and clean. We don't need unhealthy bacteria in our water or the outbreak of nasty diseases as a result of questionable oversight.	07
Ms. Sally Blevins		Ms. Smith, please work to keep Oklahoma's water safe from the large corporate livestock "farms" that pollute our water and water systems. Thank you for your attention to this matter.	07
Kamisha Taylor		My family and i enjoy spending time on the water. We enjoy fishing and camping, and would be disappointed to know that contaminated run off is in our water. Oklahoma water ways are a major tourist attraction. please do not allow it.	07
Miss Darla Bennett		No, no, no! We have enough worries and issues with water quality with the constant contamination from the chicken plants in Arkansas. Please don't further pollute our beautiful rivers, streams and lakes. I've grown up on	07

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		the Illinois River and Lake Tenkiller and have seen firsthand over the course of the last thirty years how similar pollution has changed the quality, clarity, and cleanliness of the water. This is one giant step backwards for Oklahoma.	
Ms. Wilma Hays		Oklahoma had an intense conflict with Arkansas over water pollution in recent history. We must all acknowledge that runoff from animal waste at large operations is extremely harmful to our environment.	07
Mrs. Hannah Harder		Oklahoma is already struggling to meet clean water act requirements and this is a huge threat to public health and ecological integrity.	07
Ms. B. Geary		Oklahoma water quality would suffer if this application were granted.	07
Ms. Darla Reynolds-Sparks		Our beautiful lakes have become sludge caused algae and unfit for any use.	07
Mr. Donald Peacock		Our de(c)endants will need clean water	07
Mrs. Marcy Scott		Our families have the right to be as healthy as possible. Without clean water that will be impossible!!!	07
Mr. Casey Powers		Our water is a valuable resource that we will already be having problems with in the foreseeable future. We do not need to risk any further problems with our water supply if we can avoid it.	07
Donna Davis		Our water problems in this state are severe enough without ruining any more of our supplies.	07
Mrs. E. Sharon Wilson		Our water supply needs more protection, not less.	07
Ms. Charlene Posey		Our water supply should be urgently protected.	07
Kurt G. Robinson		<p>Please allow me to simplify the argument by stating that the pollution problems in the Illinois River watershed have been highly studied, publicized and litigated.</p> <p>There is strong evidence that the poultry industry CAFOs are at the crux of the problem, and there is no doubt that the Oklahoma Department of Agriculture is highly influenced by the Oklahoma Farm Bureau, the poultry industry, cattle and pork industries and other pro-agriculture entities.</p> <p>To insure that our rivers are safe from polluted runoff from CAFO operations and the land application of their waste products, it is imperative that an agency in charge of permitting is not being influenced directly or indirectly by the very people that are receiving such permits. Please rule against this ill-advised application.</p>	07
Mrs. Joni Davis		Please consider the safety of our water. It is by far the most important asset we have in Oklahoma.	07

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Mr. Peter Allan Childs		Please help keep our renewable water resources, renewable.	07
Dr. Rebecca Sherry		Please help regulate pollutants from CAFO operations for the health of people and our land and waters.	07
Mr. John Jolley		Please keep our waters clean for now and the future. Water will become the most valuable resource in the world soon (it already is but is taken for granted). Protect it NOW.	07
Mrs. Lorri Redmon		Please protect our precious water!	07
Ms. Liz Garcia		Please reconsider. Think of the amount of damage that could be done to harm our environment. We need clean water. For all who share this planet.	07
Mr. Erwin Hancock		Please see that our clean water is protected. Thank you.	07
Mr. Pat Daly		Pollution costs caused by our farmers and ranchers, unless regulated by the EPA, will cost Oklahoman's millions of dollars; Treatment of drinking water, Lost recreation revenue due to polluted rivers, such as we already suffer in the Illinois river due to CAFO's discharge	07
Dr. James Vogh		Protect our water! We have little left and need to protect all.	07
Mrs. Jenilyn Spates		Protecting our water supply should be taken seriously, especially by the people we trust to hold these positions.	07
Joy Avery		Recently, the City of Tulsa has added Chloramine as well as Chlorine to the city's water system. I personally have lost 55 Koi of my Koi pond of 5 years directly due to this addition. The City would not have to add another Poison to our water if the water were allowed to remain UNPOLLUTED.	07
Brett French		Stop polluting.	07
Dr. Dr. Stan Gassaway		The assurance of clean water is not the job of the Department of Agriculture. Continue on this course and face a class action lawsuit under the Clean Water Act,	07
Ms. Linda Gibson		The contamination of water affects every citizen and our future in the most basic of life necessities.	07
Mr. Thomas Bisanar		The continued pollution of surface water will hurt us all.	07
Tim Wagner		The EPA requires that states that are authorized to develop their own wastewater policies must comply with federal government standards, ensuring that the state regulations of CAFOs discharges must be as strict or stricter than the federal government standards. Based on past history, this will be impossible in Oklahoma.	07
Jackie Gaston		The EPA requires that states that are authorized to develop their own wastewater policies must comply with federal government standards, ensuring that the state regulations of CAFOs discharges must be as stringent or more stringent than the federal government standards. Based on past history, this will be impossible in Oklahoma.	07
Larry Shepard		The number one goal should be to protect the surface and ground water resources of Oklahoma. If we do not have our clean air, clean water, and healthy soils to grow crops, we have lost our sustainability. Look at much of	07

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		Africa, and all the hungry and sick people. Many parts of Asia are in the same situation. Do we want that for Oklahoma or America's future? I do not think so.	
rtandwj@cox.net		The results will have a devastating effect on clean water for Oklahoma and neighboring states.	07
Scott Dittner		The river/lake systems in all of Oklahoma have seen dramatic levels of pollu(ta)nts increase due to the level of animal and chemical sewage that has been dumped in the run-off of these vital water resources. One of our most valuable resources is our water supply and we are damaging this com(m)odity in the midst of drought conditions.	07
Loretta Dougherty		This is a great state and a most beautiful one. We do not need any more water pollutants to contend with in this state. Make sure you take care.	07
Miss Linda Dempsey		This is a potentially hazard(ou)s practice that could pollute our water aqu(i)fers and endanger citizens' lives.	07
Red Goldfarb		Those CAFOs from Arkansas and NE Oklahoma are the reason for green slime (algee bloom) that is already making people sick in northeast Oklahoma. You can't even swim at the lake in the summer now.	07
Colata Harlan		Water is a precious commodity and should not be sacrificed for the profit of a few greedy corporations who inflict the worst kind of pollution on their neighbors and expect the state to clean up their messes at tax payer expense	07
David Ocamb		Water is Oklahoma's single greatest resource. In poll after poll, Oklahomans have demonstrated their commitment to ensuring we preserve the quality of our many streams, rivers and lakes. Water is more than just something we drink. It's also lifeblood to ensure us that we can continue to hike, fish and recreate our wild spaces and as the recent algae blooms have displayed, we have some serious issues and some serious problems with our water.	07
Ms. Susans Singh		Water is our most precious resource. We started to ration water this summer in Tulsa, so it is clear it may not always be abundant. We must safeguard water.	07
Ms. Martha Holland		Water is the most important issue of our time.	07
Mrs. Shirley Driever		Water is very important & it really needs to be taken care of.	07
David Ocamb		Water quality is too important to just rubber stamp this decision.	07
Mr. Ray Brookshire		We already have chicken poop in our water and we don't need more cow poop.	07
Rev. Mildred Banks		We in Northeast Oklahoma have been overburdened by large scale farming operations polluting our water. We need more regulation, not less.	07
Martie Wyatt		We in Oklahoma have many issues facing us regarding the use of this vital natural resource. We know water in Oklahoma is a finite resource, and must be protected. Any move which would lead to pollution and loss of use must be stopped. The ODAFF application will contribute to pollution.	07

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Mr. Chris Applegate		We must meet better requirements to better protect our land and water from such operations.	07
Mrs. Nicole Chau		We need to stop polluting our water.	07
Scott Dittner		We should be increasing our monitoring of these resources	07
Mr. Kim Roberts		What can be more precious to human beings than clean safe water.	07
Mr. Donald Peacock		What good is food when there is no water or air for our descendants?	07
Mr. Joel Hudson		<p>When my wife was pregnant we had to get bottled water because the water in our town supply had to high of a nitrate count and was harmful to our child and kept being so until he was older.</p> <p>My kids and I love to go fishing but I taught them long ago to throw them back because of this, am I overly careful maybe but I don't care better safe than sorry.</p> <p>There are several times on the news when people have been told to boil their water because of E-Coli. If you allow the ODAFF to assume this job I beli(e)ve these warnings will happen more often.</p> <p>Our water already smells like bleach more and more. Our water comes from underground wells the nitrates from agriculture and lawn runoff is bad enough we don't need this headache too. Most of our wells are north and east off our town.</p>	07
Mrs. Connie Seibold		Why should it also be allowed to regulate the damage done to our scarce and precious water as the result of chemicals and animal waste products?	07
Marshall Neill		Yeah, pollute the environment. Sounds like a great idea. Who would be affected? JUST ABOUT EVERYONE. Come'on, stop this crazy application.	07
Ms. Catherine Johnson		...and don't you dare sell it (<i>water</i>) to anyone including TEXAS!!!	08
Robert Ahrendt		ALSO THE INFLUENCE-PEDDLING WILL GROW BY EMPOWERING THE STATE POLITICIANS TO GET DEALS WHICH DO NOT BENEFIT THE ENVIRONMENT BUT ENRICH THE POLLUTERS.	08
Virginia Sue (Susie) Shields		Also, in Oklahoma, most of our legislators attempt to interfere with regulatory agencies making attempts to assess fines for permit violations in their own legislative districts.	08
Mr. Joseph Spitz		and too susceptible to political pressure on environmental issues.	08

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Mr. Brian A		as an American, I was under the belief that our country's leaders and organizations would carry out their responsibilities to the people to help them grow in comfort of their nation. The fact that someone has to step up and tell these so called - Leaders and organizations how to do their friggin' jobs shows just how irresponsible they have all become. All I have to say is, make it right.	08
Ms. Andrea Teter		At the state level there be too much bias and inappropriate influence by business.	08
Mrs. Terri Sanders		Be a leader for once and do whats right, not whats profitable.	08
Ms. Jean McMahon		Big AG supports research and bribes Lawmakers..	08
Ms. Michael Tiffany		Businesses these days are getting away with murder, so please stop giving them everything that they want, and start thinking of public protection.	08
Phyllis Bryant		by water pollution generated by 50 new CAFO National Pollution Discharge Elimination System general permits and 0 new individual permits proposed by ODAFF for each year.	08
Joy Avery		Chicken and Hog farmers are to blame. Huge Corporations should not be allowed to control whether OK residents are able to drink pure water. The Almighty Dollar is once again determining whether the Earth is allowed to remain habitable. How can the State of Oklahoma allow this to happen?	08
Mr. Ivan Hutchcroft		Do not sacrifice clean water for the future in order to provide short term corporate profits.	08
Mr. Shawn Owen		Don't forget, we are watching!	08
Ms. Kalli Kilmer		Don't let greed get in the way of what is right and true!	08
Robert Ahrendt		ENLARGING THE SCOPE AND POWER OF STATE REGULATORY FUNCTIONS IS NOT MAKING STATE POLITICOS REDUCE THEIR DRAG ON TAXPAYERS, RATHER POLITICIANS WILL BE LOADING UP THE BURDENS AND COSTS WITHOUT BENEFITING TAX PAYERS.	08
Phyllis Bryant		Environmental leaders fought hard for a decade and won a lot of battles to protect Oklahoma citizens from CAFOs in terms of our health and wasted taxpayer dollars needed to clean up messes that rightfully were the responsibility of the industry that made money while creating them. Please don't turn back the environmental clock in our state with a quick decision. Please make the right decision. Thank you	08
Jackie Gaston		Environmental leaders fought hard for a decade to protect Oklahomans from CAFOs, who have a history of operating in bad faith at taxpayers' expense. We do not want to lose what we fought for through this application.	08

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		For all of these reasons, please do not approve authorization of the AgPDES program requested by ODAFF	
Ms. Patrick Murphy		I don't trust Oklahoma politicians to act in the best interest of the public. Money means everything to the boys in Oklahoma City.	08
Dr. Jennifer Saltzstein		I feel very strongly that our food system is out of control; exceptions like these reward those who seek to destroy the environment for financial profit.	08
Ms. Beth Skye		I have read the letter as written and am in total agreement with the facts stated. Water is an endangered resource and we are responsible for making decisions that protect it over the interests of business.	08
Mr. John Jolley		I live in Oklahoma and find this to be a huge issue. When are we going to do what is right and not do whatever Big Money deems for best for us (excuse me them)? Protect our water for today and the future.	08
Mr. Ross Paulger		I urge you to not bow to corporate interests at the expense of environmental protections.	08
James Hancock		If you do not take steps to fix these problems I will remember your inaction at the ballot box.	08
Red Goldfarb		It's a bad idea that will make taxpayers have to pay for pollution caused by a rich out of state industry with powerful political friends. Don't fall for it! Say no now before it is too late.	08
Ms. Wilma Hays		More importantly, the will to regulate an industry so closely tied to state policy makers leaves too much room for influence.	08
Mr. James Loller		Oklahoma has proved it only works for the special int(e)rest groups not in the int(e)rests the people. Oil and cattle are the only things the gover(n)ment of Oklahoma cares about. We need protection from our state leaders.	08
Mr. Greg Tomblin		Oklahoma's clean water is a vital and precious resource and must be protected from irresponsible exploitation.	08
Dr. Moe Karami		Our environment has been pol(l)uted beyond what it should be thanks to pol(l)uters and their crony law makers. Enough is enough.	08
Mr. Warren Osborn		Our health should be your top priority not paying lip service to Big Business.	08
Ms. Darlene Litton		Please consider the impact of this decision. Our state was once beautiful, but greedy business owners offered a few jobs in exchange for free reign to over-pollute it. Our land has been poisoned enough. Don't let the love of money continue the downhill run of un-checked bad business practices.	08
Mr. Michael White		Quit letting big money and politics RUIN our irreplaceable wildlife habitat !!!!!	08
Mr. Venson Fields		Stop letting big business f*** up my water!	08
James Oglesby		Stop selling out to big business!	08

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Ms. Ann Martin		Stop your mean spirited ways. The republicans are the ones responsible for the 20% reduction in funding. They don't care about the people. All they care about is making sure people will come to the State of Oklahoma and spend money thus contributing to their pocket books. They will spend tons of OUR tax money making everything beautiful (I am not against this) and doing nothing to help the citizens. Get your priorities straight with our tax dollars. The people come first. It's not your money, it's ours. Do right thing for the citizens of Oklahoma.	08
Denise Deason-Toyne Dr. Jim Nelson		The Department is subject to great pressure from the farm lobby including the Oklahoma Farm Bureau and Pork Producers Association.	08
Dr. Charles Wesner		The Dept of Ag and its board have made well known their hostility to the law and the EPA. It would be a grave mistake to turn over this important function to a body that makes no secret its disdain for the federal government and regulation in general.	08
Mrs. Connie Seibold		The OK Dept. of Agriculture has already proved that it cares nothing about people who buy the food, the animals that suffer or the responsible family farmers that have to compete with these corporate practices.	08
Loretta Dougherty		There are a lot of us voters watching you.	08
Ms. Robin Feusner		This came up when BRAD HENRY was governor. I then wrote about this to get this stopped I gave them suggestions and ideas on how to deal with it. the state legislature rubber stamped it.	08
Mr. Reginald King		This is a disgrace to the oklahoma residents and our politicians aren't even listening. The(y) (a)re also trying to sell our water to texas, when will all this madness end and we the people don't even matter so we will make up for it at the polls. The republicans are very ruthless individuals living by two sets of rules and that is not what our constitution says.	08
Ashley Greer		We cannot point fingers to others if we are not keeping our own backyard properly maintained.	08
Ashley Greer		We must fix problems as they arise instead of waiting until they are festered and more difficult to resolve.	08
Kathleen Harper		While I understand that agriculture and livestock production is essential, so is clean water. The economic interests of the ODAFF should not outweigh the need for protection of water sources in Oklahoma.	08
Lydia Garvey		You work for citizens, Not industry! Your attention to this most urgent matter would be much appreciated by all present & future generations of all species! Thank you	08
Ms. Kathy Nix		Act Now! Please Stop the Department of Agriculture from Rubber Stamping CAFO's	09
Kurt G. Robinson		As an Oklahoma citizen and stakeholder on the Illinois River of NE Oklahoma, I strongly oppose the Oklahoma Department of Agriculture, Food, and Forestry's (ODAFF) application to administer a partial National Pollutant Discharge Elimination System (NPDES) program for discharges under the jurisdiction of the Department as stated in Section ; 3; 101 of Title 27A of the Oklahoma statutes.	09

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David Ocamb Sierra Club		<p>As you are aware, members of the Oklahoma Chapter of the Sierra Club own, use, rely upon, and recreate in the waters that can and sometimes already do receive wastes discharged from CAFOs. The problems of CAFO discharges of animal wastes are not new in Oklahoma, but instead are a continuing issue that must be dealt with. These issues are increasing as more and more hog and chicken CAFOs are established in Oklahoma. ODAFF's proposed rules fail entirely to address the concerns of the public that presently are – and in the future would be – impacted by discharges of animal waste. Most disturbingly, ODAFF's rules appear to be constructed in such a way as to avoid regulation that is already required by federal rules. Accordingly, we strongly urge that you decline to delegate any authority to ODAFF under its plan as it is currently outlined.</p> <p>I appreciate the opportunity to comment on the ODAFF's attempt to obtain a delegation of federal authority under Section 501 of the Clean Water Act. We urge that you deny ODAFF's request</p>	09
Mrs. Nicole Chau		Do NOT allow ODAFF the ability to permit companies that will pollute our water.	09
Mr. Theodore Plottner		do you get it????????????????????????????????????	09
Ms. Roberta Wright		DON'T DO IT	09
Mrs. Suan Schmidt		Don't let the Oklahoma Dept of Ag, Food and Forestry (ODAFF) take over responsibility for protecting Oklahoma's water supply from concentrated animal feeding operations (CAFO).	09
Colata Harlan		For all of these reasons, we ask with due respect that the EPA disapprove authorization of the AgPDES program requested by ODAFF.	09
Virginia Sue (Susie) Shields		For ODAFF to assume regulatory responsibility for point source discharges associated with concentrated animal feeding operations (CAFOs), the application of biological pesticides or chemical pesticides that leave a residue, silviculture activities and storm water from agricultural activities is sure to create undue pollution if not regulated properly.	09
Ms. Judy Ann Davis		For Reasons of the Aforementioned, I oppose the ODAFF application.	09
Colata Harlan		Furthermore, ODAFF does not have jurisdiction over a large portion of discharges, which are under the jurisdiction of either the Oklahoma Department of Environmental Quality or the Oklahoma Corporation Commission, as noted in the Supplementary Information section of the Federal Register Vol. 77, No. 85/Monday, September 24, 2012/Notices, p. 5883.	09
Mrs. Crystal Allen		Good day! I am writing this in hopes that it reaches you in the best of spirits. Oklahoma is beautiful, loving, and united. That is why throughout all of my travels, this is still my favorite place to call "home" I am entrusting you to	09

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		<p>keep it beautiful for me. Please do not allow this to happen, its outrageous and between you and I, just plain gross.</p> <p>Your position will allow our voices to be heard.</p> <p>Thank you for your time and I hope you have a lovely day and a happy holidays !</p>	
****See Attached List of Commentors	SC3	Granting this permit would take away one of the few protections Oklahomans have against CAFO's and further endanger our water quality.	09
Mrs. Monica Griffin		<p>Have the detriments and dangers of CAFOs not already been detailed and elucidated enough to stop this type of operation?</p> <p>Please, for the safety of our food supply, and for the sake of our environment, do not okay this application.</p>	09
Mr. Joseph Graham		Here's what you already know: It's easier to prevent a mess than clean up a mess.	09
Mr. Victor Sansalone		How can ODAFF support pollution!?!	09
Mr. Robert Mcilroy		Humans are animals too. Don't let clean water slip away from us!	09
Mr. Jack Pursell		I am a taxpayer residing in the state of Oklahoma and I am opposed to the proposed change.	09
Candace Frates		I am against this as well as many other voters. Stop.	09
Tim Wagner		I am writing to ask to disapprove the Oklahoma Dept. of Agriculture, Food and Forestry's (ODAFF's) request to regulate water pollution (point source discharges) associated for Concentrated Animal Feeding Operations (CAFOs).	09
Mrs. E. Sharon Wilson		I believe it would be a mistake to delegate CAFO permitting authority to the Oklahoma Department of Agriculture and I hope EPA will not agree to this proposal.	09
Dr. Betty White		I definit(e)ly oppose this application by ODAFF.	09
Mr. Terry Ratliff		I did fight in a war for freedom to have my country ruined	09
Mr. Patrick Spurlock		I have reasons to believe that the end results of such a decision would be disastrous and I urge you to reconsider your rash course of action.	09
Mrs. Janet Hornsby		I oppose the ODAFF ap(p)lication.	09
Ms. Traci Reeve		I oppose the ODAFF application	09
Ms. Maria Welding		I oppose the ODAFF application	09

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Mr. Duane Wittman		I oppose the ODAFF application	09
Mr. Anthony Rodriguez		I oppose the ODAFF application!	09
Mr. Anthony Rodriguez		I oppose the ODAFF application!!	09
Ms. Zoe Harty		I oppose the ODAFF's application for this pollutant, because clean water is vital for everyone.	09
Ms. B. Geary		I strongly oppose the ODAFF application. Actually, It is not enough for me to say I 'oppose' the ODAFF application to administer a partial National Pollutant Discharge Elimination System program. I am absolutely appalled at the very idea. I need a word that is a lot stronger than 'opposed'. No, No, NO, NO, NO, NO, No to this application!	09
Mr. Pat Daly		I strongly oppose the ODAFF's application to administer discharges under the NPDES.	09
Mr. Richard Davis		I therefore oppose the ODAFF application in its entirety.	09
Ms. Patricia Wallace		I think Oklahoma has some beautiful streams and lakes and would like to see them kept that way.	09
Mr. David Hawkins		I totally agree with the above statement.	09
Pat Hoerth		I urge you to deny the request by the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) to assume regulatory responsibility for point source discharges associated with concentrated animal feeding operations (CAFOs), the application of biological pesticides or chemical pesticides that leave a residue, silviculture activities and storm water from agricultural activities.	09
Dr. Moe Karami		It is absolutely imp(e)rative that the request be turned down.	09
Carol Watson		It is imperative that Oklahomans act in the best interest of Oklahoma.	09
Ms. Elizabeth Morsund		It is of utmost importance that we protect our water sources from further pollution.	09
Mr. James Oglesby		It should be "at least" a full NPDES program!	09
Mrs. Abby Dougherty		Keeping Oklahoma beautiful and clean is so important and we must protect this land lest our great grandchildren be left with nothing.	09

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		Please do the right thing and oppose the application.	
Ms. Andrea Smith		Let's stop this, we need the forest. Where is the wildlife going to live? The farmers need some help too; we need to wake up.	09
David Ocamb		My name is David Ocamb and I am the state director of the Oklahoma chapter of the Sierra Club. I stand here today representing over 3,000 dues-paying members and over 20,000 supporters in Oklahoma alone. Additionally, we have over .4 million members and supporters nationwide. We all stand united in opposition to the Oklahoma Department of Agriculture Food and Forestry's application to administer a partial National Pollutant Discharge Elimination System program for discharges. In fact, over 40 of our members in Oklahoma alone have already submitted comments opposing this petition.	09
Mr. Kim Roberts		NO!!	09
Mr. Frank Anderson		Oklahoma is a beautiful land. The people deserve to have the people with the power to make such a decision to make the right decision for clean water for all of us.	09
Ms. Ashley Roy		Oklahoma is backwards in so many ways. Let's be a leader in this.	09
Colata Harlan		On behalf of Oklahomans currently protected by the Clear Water Act, we ask you to deny the request by the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) to assume regulatory responsibility for point source discharges associated with concentrated animal feeding operations (CAFOs), the application of biological pesticides or chemical pesticides that leave a residue, silviculture activities and storm water from agricultural activities.	09
David Ocamb Sierra Club		On behalf of the Oklahoma Chapter of the Sierra Club, I am providing these written comments to the request submitted by the Oklahoma Department of Agriculture Food and Forestry ("ODAFF") to obtain approval for its Agricultural Pollutant Discharge Elimination System (the "AgPDES"). Sierra Club's Oklahoma Chapter strongly opposes the attempt by the ODAFF to obtain delegation for any part of the National Pollution Elimination Discharge System (herein "NPDES") based upon ODAFF's currently published plans and proposed rules.	09
Mr. Patrick Spurlock		P.S I hope you gentlemen will reconsider your decision.	09
Mr. Noel Torrey		Please address this important issue.	09
Colata Harlan		please consider denying the Oklahoma Department of Agriculture, Food and Forestry's (ODAFF's) AgPDES program request to assume regulatory responsibility for point source discharges associated with Concentrated Animal Feeding Operations (CAFOs) in Oklahoma.	09

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Mrs. Shirley Driever		Please consider rejecting such an issue.	09
Mrs. Cathy Thompson		Please consider the effect that your actions will have upon generations of Oklahoma children. Come together for a solution, this should be a no brainer, if we know it can produce harmful effects then it would be irresponsible to ignore the concerns that we all share.	09
Ms. Sally Hill		Please consider the environment and the health of the public.	09
Mrs. Anneliese Henderson		Please consider the impact of the ODAFF application; we must do we can so to preserve our environment on ALL LEVELS.	09
Phyllis Bryant		Please deny the Oklahoma Dept. of Agriculture, Food and Forestry's (ODAFF's) request to regulate water pollution (point source discharges) associated for Concentrated Animal Feeding Operations (CAFOs).	09
Mrs. Rachel Gurfinkel Hicks		Please deny their application.	09
Ms. Dawn Armstrong		Please do not let this happen!	09
Marjorie Hass		Please do the right thing.	09
Ms. Katherine Owen		Please do what is right for our planet.	09
Ms. J C		Please dont allow this	09
Ms. Jean McMahon		Please EPA stop this madness going on in Oklahoma....Save our water and our land and our Farms...do your Job PLEASE Thank you	09
Mark Manley		Please reconsider this decision to make the ODAFF the administrator of this program. The world we live in is under attack from pollutants at so many levels. Life on this earth is under attack and we need a group to champion our environment.	09
Mr. Joey Paz		Please reject any measure that would allow ODAFF to administer this program.	09
Mrs. Marjorie Hass		Please take the right action on this.	09
Ms. Gail Sloop		Please think about the 7th generation and not wasting our natural resources.	09
Mr. Paul Moore		Please, don't allow this to happen.	09
Mrs. Sarah Hall		Please.	09

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Mr. Larry & Susan Bruce		Stop the Department of Agriculture from Rubber Stamping CAFO's!	09
Ms. Robin Feusner		stop the rubber stamping I told GOV Henry how to stop this he didn't listen	09
Tim Wagner		Thank you for denying authorization of the AgPDES program requested by ODAFF.	09
Larry Shepard		Thank you for doing the right thing in advance.	09
Mr. Ken Barnes		Thank you for listening!	09
Mrs. Carol Watson		The environment is the second most important asset we can leave to our first most important asset -- our children.	09
Colata Harlan		The EPA requires that states that are authorized to develop their own wastewater policies must comply with federal government standards, ensuring that the state regulations of CAFOs discharges must be as strict or stricter than the federal government standards. Based on past history, this will be impossible in Oklahoma.	09
Mr. Cloud Phillips		The Illinois watershed is already fucked... Let's streamline the process and ruin all of the states sources of potential potable water.	09
Kathy Tibbits		The science and objective reality both cause me to oppose delegation of CAFOs to this state.	09
David Ocamb		The Sierra Club asks the EPA to deny this petition... We will be submitting formal written comments and we do ask that you fully consider each and every one of our arguments that will be articulated in those comments. Thank you.	09
Mr. Rick Poland		This is a ridiculous idea.	09
Mrs. Crystal Allen		This is just disgusting	09
Mr. Warren Osborn		This is madness	09
Mrs. Teresa Tucker-Trainum		This is not a job for this dept.	09
Ms. Jenny Woodruff		This is not good for Oklahoma or the planet!	09
Ms. Cynthia Williams		This is outrageous !	09
Ms. Mercedes Lackey		This proposal is ridiculous.	09

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Mr. Joel Olson		This should become input to a renewable energy operation.	09
Ms. Barbara Bannon		This would be inappropriate and a violation of public trust.	09
Virginia Sue (Susie) Shields		This would be the only state in Region 6 granted NPDES oversight by the Department of Agriculture ... I think it is a BIG mistake!	09
Mr. Thomas Sanford		Water is a public resource that demands real protection.	09
Mr. Larry Darnell		WE are ruining this country	09
Mr. Pat Daly		We cannot allow this to happen.	09
Mrs. Candace Hibbard Lillie		We live beside Grand Lake. As an attendee of the recent watershed conference, i am quite sure this matter is of direct concern to me and all my neighbors.	09
Mrs. Mary Lea Wallace		Whether it's our own drinking water, or our tax dollars spent on pollution abatement, we all have a stake in this decision.	09
Mr. Gary Herdman		With weather change so prominent, we must be overly cautious with our water supplies. We cannot allow short sighted decisions to be made.	09
Mr. Jeremy Mahmood		Wow, really? Just wow.	09
Dr. Jeremy Kuzmarov		Your responsibility is to protect public health.	09
Mr. Randy Ledford		... any and all compliance issues need to be dealt with by the EPA at this time.	10
Jeff Brown		... let the EPA do it's job!!	10
Mr. Randy Ledford		...ODAFF should step aside, serve as a partner, but not as a regulator.	10
Mrs. Nancy Sander		...regulators have the responsibility to prevent this conglomerate of conflicting interests! I hope they see the simplistic power grab in this proposal, and put an end to the debate! This is a mistake to be avoided.	10
Ms. Dawn Mahiya		and ask that the highest authority with the best resources be put in charge of regulating this industry.	10
Ms. Wilma Hays		Federal regulation is necessary for the health and wellbeing of the water that belongs to all Oklahomans.	10
Mr. Casey Holcomb		For the reasons stated below, the EPA should remain the authority responsible for issuing permits under the National Pollutant Discharge Elimination System.	10
Ms. Bobbie Daily		Furthermore, the EPA should be able to fulfill their responsibilities, duties and original purpose of enforcing regulatory standards, WITHOUT POLITICAL INTERFERENCE. This agency must be able to operate as intended, for	10

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		the safety of our natural resources, beyond the dollar to be made at the moment.	
Ms. Andrea Teter		I believe administration of the system must remain with the EPA. EPA's better equipped to handle this because it is a federal interstate issue.	10
Miss Rachel Cannon		I believe that this is the responsibility of the EPA as they have more resources and less non-ethical temptation in regards to policing CAFO opera(t)ions.	10
Ms. Bobbie Daily		I strongly believe the permitting function should remain with the EPA,.	10
Mrs. Suan Schmidt		I trust the EPA to protect my interest more than I trust ODAFF.	10
Ms. Debe Judah		I want the EPA to continue having control.	10
Ms. B. Geary		Lastly, it doesn't make sense to me, given the interstate (both into Oklahoma and leaving Oklahoma) water pollution caused by CAFOs, to have anyone but a federal entity regulating CAFO discharge.	10
Mrs. Mary Lea Wallace		Let's leave the dedicated experts on charge of preserving water purity.	10
Ms. Susan Hovis Sikes		Please allow for proper oversight to help keep our water clean.	10
Rev. Mildred Banks		Please, keep permitting federal and deny this request.	10
Chuck Gleba		stick with what works	10
Mr. Joseph Spitz		The EPA is in a much better position to decide whether or not to issue these permits.	10
Mr. Pat Daly		The EPA is the only trusted source to regulate this.	10
Mr. Mike Dumford		The EPA should be the permitting and oversight agency for discharge from Concentrated Animal Feeding Operations (CAFO's).	10
Mr. Casey Powers		The federal government should be more able to oversee these processes with fewer potential conflicts of interest.	10
Mrs. Mary Lea Wallace		This industrialized livestock production needs to be regulated by agencies devoted to protecting the public interest.	10
Ms. Catherine Johnson		This needs to remain under the EPA.	10
Ms. Lee Baum		This responsibility needs to be administered by the federal government, not individual states. There is no more water or land and what we need and cherish needs protected for one and all.	10
Dr. Michael Beilfuss		We need oversight, and we need to keep the environment healthy and safe for this and future generations.	10

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Mrs. Leslie Smith		We need the EPA to protect our land and water.	10
Virginia Sue (Susie) Shields		Actually, I have an idea for the regulatory system. What if ODAFF issued the permits and ODEQ monitored and enforced them. In return, ODAFF could inspect and enforce the industrial permits issued to corporations and municipalities by the DEQ. This would prevent each agency from “biting the hand that feeds them.”	11
Mrs. E. Sharon Wilson		An Oklahoma agency that deals with water quality enforcement would be more appropriate for this authority in my opinion.	11
Fran Stallings		I prefer to have these functions performed by separate entities.	11
Tim Wagner		I trust the EPA, but if it has to be done at the state level, it makes more sense to trust the Oklahoma Department of Environmental Quality to protect the public interest and water quality from the worst pollution offenders.	11
Doreen Engler		I'm not saying that it shouldn't be run by the State of Oklahoma; I'm saying maybe it should be run by another department that already is set up to look at water quality, and so, to me, it just seems like if there's already confusion and we've been working on this for years, then maybe we're just not there yet. And our water is really too important to us to let it slip through the cracks. Thank you.	11
Colata Harlan		In other states, it's the department of environmental quality that is entrusted to protect the public interest and water quality from the worst pollution offenders.	11
Colata Harlan		In other states, the department of environmental quality is entrusted to protect the public interest and water quality from the worst pollution offenders.	11
Pat Hoerth		Instead, I strongly support the approval of the Department of Environmental Quality to protect the public interest and water quality from the pollution of CAFOs. Thank you for your consideration.	11
Phyllis Bryant		Most other states trust the state department of environmental quality – not the agency that has been historically in bed with the worst polluters.	11
Denise Deason-Toyne Dr. Jim Nelson		STIR feels that another Oklahoma agency which regulates water quality could do a better job of enforcing anti-pollution rules including CAFO permits.	11
Ms. Catherine Johnson		...respect and honor treaties between the US and Indigenous people as to water control,...	12
Colata Harlan		It is also a mistake to think that Indian County would not be affected by the water pollution...	12
Phyllis Bryant		It is also a mistake to think that Indian County, which is supposed to be technically exempt, would not be hurt	12
Jackie Gaston		It is also a mistake to think that Indian County, which is supposed to be technically exempt, would not be hurt by water pollution	12
Cherokee Nation		MOA language	12

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Brett French		...and start practicing more ethical solutions	13
Colata Harlan		...CAFO owners who spend millions on technology to inhumanely produce massive quantities of meat or eggs, but refuse to invest in technologies and practices to properly treat wastes that are by-products of their industry?	13
Colata Harlan		According to the EPA, states with high concentrations of CAFOs experience on average 20 to 30 serious water quality problems per year as a result of manure management issues, as reported in Impacts of Waste from Concentrated Animal Feeding Operations on Water Quality http://www.ncbi.nlm.nih.gov/pmc/articles/PMC87674/ . We know toxic spills will happen. Previous Oklahoma Attorney General Drew Edmondson filed well-known lawsuits against Arkansas poultry companies based on the devastating impact of contaminated water flowing downstream from negligent animal production factories.	13
Mrs. Hannah Harder		As a former employee of the Oklahoma Water Resources Board and environmental scientist I am quite familiar with the data of damages done by CAFOs in Oklahoma.	13
Ms. Bobbie Daily		As a resident of northeastern Oklahoma, I already see too many permits being issued to poultry growers, which are too small to be considered a CAFO, but are large enough to contribute non-point source pollution to the Illinois River watershed.	13
Ms. B. Geary		As a resident of Tulsa (who grew up with pristine water quality here) I am all too aware of what CAFO discharge can do to water quality! I find it outrageous to weaken in any way the little protection Tulsa and the rest of Oklahoma have against CAFO pollution.	13
Mrs. Mary Lea Wallace		CAFO effluent can harm health, land productivity, and land values.	13
Mr. Robert Justice		CAFO's are toxic to our environment and the health of the US Citizen!	13
Mr. Pat Daly		CAFO's have proven time and time again that they think they have the right to pollute our great states waters and it is their right to do so.	13
Mrs. Nicole Chau		CAFOs produce too much manure to deal with economically and environmentally.	13
Dr. Teresa Appleton		Clean air and water are vital to humans. Cafo's are unnatural.	13
Ms. Judy Fowler		Combining hundreds, often thousands of animals all together without natural vegetation or land to graze on for months is unnatural and cruel. This is not the order that nature intended. It is unfair to the animals and us, the people.	13
Mrs. Connie Seibold		Concentrated animal feeding operations are bad for consumers because of the antibiotics used to reduce diseases caused by overcrowding.	13
David Ocamb		Concentrated animal feeding operations pose a significant threat to the quality of Oklahoma's water. The Clear Air Act recognizes this threat and imposes strict rules governing discharged from large CAFO operations.	13

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Ms. Amanda Webster		Farming of animals is bad for the animals, and bad for the population and environment directly surrounding the CAFOs. Evidence shows the toxicity of animal protein to humans. A mountain of evidence also exists regarding the ill effects of pollution from these wretched places. It's bad enough they don't care about the lives of these animals, but to push the pollution out to the human population is beyond acceptable.	13
Ms. Liz Garcia		Feed lots are harmful to our environment.	13
Mr. Steve Trammell		Former Attorney General Edmondson, fought to protect the Illinois River from runoff that came from large industrial chicken farms. Large scale cattle and hog operations would present the same hazards Edmonson battled then.	13
Miss Charisse Piros		Granting this permit would take away one of the few protections Oklahomans have against CAFO's and...	13
Mr. Michael White		I am a farmer, land owner, and tax payer in this great state of Oklahoma. I have seen with my own eyes what this concentrated waste does to the enviro(n)ment. I love to fish with my grandchildren and friends, if you go to NW OK and look at the streams, rivers, and lakes, you can plainly see the impact on these treasures.	13
Mrs. Janet Hornsby		I am against CAFO'S in the first place because of the danger they pose to clean water.	13
Mrs. Donna Waltman		I am against these large, animal-crowding operations on the basis of anti-cruelty.	13
Ms. Dawn Mahiya		I am opposed to CAFO's in the first place...	13
Ms. Fannie Bates		I am very concerned about the potential spread of swine flu due to CAFO's.	13
Ms. Mary Price		I have lived in Oklahoma areas where there is "intense" cattle ranching. Even without being confined to feed lots, the amount of pollution the cows create is huge. Our well depended on a creek, which, upstream, the cattle liked to stand in during the heat. I quit drinking the water after I saw how they fouled it. Where will we be without clean water?	13
Ms. Kelley Smith		I have several family members who live near large animal operations. We all worry about health and quality-of-life effects of these monstrous factories.	13
Ms. Darla Reynolds-Sparks		I have witnessed what run-offs do to fresh water lakes in N.E. Oklahoma. Those run-offs come from chicken farms all over N.W. Arkansas. The fresh, drinking water is soon to be more precious than gold, diamonds or dollars as this planet becomes more	13

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		and more contaminated by industries fouling our waters.....It must not continue.	
Mr. Joseph Foster		I understand the need for growth in industry to meet our constantly growing needs for both food and other materials provided by live stock. But this (should) not be done at the cost of our environment. In doing so you poison not only ourselves but the animals we will eventually use for food and other material uses from leather to just feather pillows and the like,	13
Ms. Susan Hovis Sikes		I would also like to see government encouragement to revert some of these giant beef factories back to sustainable farms.	13
Mrs. Shirley Driever		It is filth that comes from those (CAFO) facilities, both water & air, etc.	13
Mr. Michael White		It is not that expensive nor time consuming to treat this animal waste properly, and it can be used in benefic(i)al way to help improve the land, not harm it nor the wildlife.	13
Dr. Michael Beilfuss		It's time to clean up the CAFOs.	13
Mr. Pat Daly		Large scale farmers and ranchers with CAFO's are simply attempting to pass along and burden the people of Oklahoma with the cost of adequately treating discharge from THEIR operations.	13
Mr. Ruben Garcia		Let the animals roam. We humans can think of creative ways to get fed without this pollution.	13
Ms. Deanna Homer		Not to mention the poorer health value of the beef compared to cattle that are totally grass fed.	13
Red Goldfarb		Of course Dept. of Ag and the CAFOS want more animal factories stuffed full of suffering animals -- 50 new CAFO general permits and 0 new individual permits each year.	13
Mrs. Angela Moffatt		Personally, I find the concept of CAFO operations abhorrent and unnatural. Large grazing animals were not intended to live in tiny lots filled with their own feces.	13
Ms. Carol Sullivan		Please listen to everyone. The industry information is incomplete and therefore, misleading.	13
Ms. Dawn Mahiya		The concentrated pollution emitted from CAFO 's is incredibly toxic.	13
Ms. Deanna Homer		The environmental impact of confined animals' waste is horrendous.	13
Mrs. Angela Moffatt		The land cannot manage that much pollution, the animals have horrible living conditions, and the run off pollutes water far removed from these so called farms. They need to be eliminated, but in the meantime, at least regulated more strictly.	13
Mr. Mark Ross		These CAFO operations have spread throughout the state and one doesn't have to be a scientist to see the devastat(i)on they can have on area that they intrude upon.	13
Ms. Pamela Jameson		This can't possibly be good for the health of the animals nor for us as consumers.	13

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Ms. Shelli Kitchens		This is clearly wrong and pushing it under the carpet is setting our future generations up to have to find a way to clean up this nightmare of a mess. Concentrated Animal Feeding Operations should be halted at once, it's inhumane and it causes dangerous (e)nvironmental damage that will directly (a)ffect humans. It's absurd this has been allowed to go on for so very very long. The right thing to do is being urged, do it.	13
Mr. Jamie Tacker		We shouldn't compromise the health of our water, for the profits of "farm" corporations. Farming should have never been taken over by companies.	13
Ms. Linda Gibson		While we are at it, lets get steroids and growth hormone stimulants out of the cattle industry. This is about so much more than profit and gain for one industry.	13
David Ocamb Sierra Club		<p>2) The ODAFF proposed rules provide no guidance regarding ODAFF's plan concerning how it will apply Oklahoma's Water Quality Standards to AFOs and CAFOs located within High Quality Waters (herein "HQWs) and Outstanding Resource Waters (herein "ORWs").</p> <p>Specifically, ODAFF has not proposed special regulations for AFOs in sensitive watershed areas, such as the Illinois River Watershed. While ODAFF does propose an anti-degradation review as part of its permitting procedures, as set forth in OAC § 785:45-3-2 (a portion of Oklahoma's Water Quality Standards), and proposes to restrict discharges in accordance with OAC 785:46, Subchapter 3 (which are the Oklahoma Water Resources Board's rules implementing the State's Water Quality Standards), the proposed ODAFF rules do not prohibit new AFOs within HQWs or ORWs</p> <p>Thus, an AFO which would be considered a CAFO by the EPA may nonetheless be allowed to construct and operate within a High Quality Water, Outstanding Resource Water watershed, or Scenic River watershed without requiring an AgPDES permit.</p> <p>This entire question is essentially unaddressed in ODAFF's plan, making the plan unworkable. Moreover, ODAFF's deliberate ignorance of this issue makes its proposed AgPDES fall below the federal standards relative to ORWs and the standards applicable to other point source discharges in Oklahoma.</p>	14
Jackie Gaston		ODAFF doesn't have a plan for apply Oklahoma's Water Quality Standards to AFOs and SAFOs located in High Quality Waters and outstanding Resource Waters.	14
US Fish and Wildlife Service		Letter	15
David Ocamb		...or at least hold additional public hearings and give the public more time to fully inspect this petition beyond December 6. We thank you for your consideration.	16
Colata Harlan		Thank you for reading the comments below and attached, which explain the primary reasons we ask with due respect that the EPA disapprove authorization of the ODAFF's request.	16

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		It would be helpful if EPA could schedule additional hearings in the parts of the state where CAFOs are actually located. Thank you.	
Denise Deason-Toyne Dr. Jim Nelson		Many of the water quality problems we currently have in the Illinois River watershed are due to factory farms.	17
Mr. Don Nelson		The Illinois River used to be a clean, clear waterway, which I played in as a child. Today I will not permit my children near it. The waste from the chicken farms in Arkansas have ruined in for my family.	17
Mrs. E. Sharon Wilson		Water quality certainly has not been a priority with the Oklahoma Agriculture Department or we would not have the pollution problems we now have in the Illinois River watershed	17
Jackie Gaston	 generated by 50 new CAFO National Pollution Discharge Elimination System general permits and 0 new individual permits proposed by ODAFF for each year.	18
Colata Harlan		generated by 50 new CAFO National Pollution Discharge Elimination System general permits and 10 new individual permits proposed by ODAFF for each year.	18
Red Goldfarb		Just wait until they've got 60 new CAFOs a year.	18
Colata Harlan		We know ODAFF plans for Oklahoma to have higher concentrations of CAFOs. They propose adding 50 new CAFO National Pollution Discharge Elimination System general permits and 10 new individual permits each year, according to budget data in ODAFF's Program Description, Chapter 4: Resources and Funding, page 3.	18
Tim Wagner		I understand that Oklahoma would be the only state to entrust this regulatory responsibility to a department of agriculture.	19
Colata Harlan		I understand that Oklahoma would be the only state to entrust this regulatory responsibility to a department of agriculture.	19
Colata Harlan		I understand that Oklahoma would be the only state to entrust this regulatory responsibility to a department of agriculture.	19
Jackie Gaston		I understand that Oklahoma would be the only state to trust this regulatory responsibility to a department of agriculture if the EPA grants approval to the Oklahoma Department of Agriculture, Food and Forestry for its Agricultural Pollutant Discharge Elimination System.	19
Pat Hoerth		Oklahoma would be the only state to allow the Department of Ag to regulate the CAFOs.	19
David Ocamb		In summary, we have five (5) primary comments which our members believe each independently prohibit the ODAFF from obtaining primacy over any portion of the NPDES. These issues are summarized as follows:	20

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		<p>1) The ODAFF proposed rules would create a special class of Animal Feeding Operations (“AFOs”) which would be regulated and permitted as medium sized Concentrated Animal Feeding Operations (“CAFOs”) under federal law. Yet, under the proposed ODAFF regulation there do not appear to be any equivalent permitting or regulatory requirements. As a result, the ODAFF’s proposed rules are by their very nature “less stringent” than the federal CAFO requirements.</p> <p>Specifically on this point, ODAFF uses the term “discharge” to create less stringent regulation. Under ODAFF’s proposed rules, discharges become important when determining whether an AFO should be classified as a CAFO. The EPA’s rules do not contain this distinction. Specifically, ODAFF currently interprets its rule to require an actual discharge prior to a permit being necessary. Accordingly, an AFO with between 37,5000 and 24,999 chickens (other than laying hens) is not considered a CAFO by the ODAFF unless there is a proven discharge. Similarly, an AFO with 25,000 chickens (other than laying hens) is not considered a CAFO unless there is an actual discharge.</p> <p>These less stringent requirements conflict with and are less stringent than the EPA’s CAFO rules. The EPA’s CAFO rules would, for instance, require the operation of a chicken house with more than 00,000 birds be considered a CAFO, and would require such an operation to obtain a NPDES permit, and be regulated by the EPA.</p> <p>Accordingly, the ODAFF’s proposed rules violate the requirements of Section 501 of the Clean Water Act (prohibiting state regulation which is “less stringent” than the federal requirements).</p>	
Jackie Gaston		ODAFF created a special class of Animal Feeding Operations (AFOS), which would be permitted as medium-sized CAFOs, but doesn’t come up with regulatory requirements for AFOs. Therefore, the rules are “less stringent” than EPA CAFO requirements.	20
David Ocamb Sierra Club		<p>5) It is not apparent who should be permitted to operate AFOs and CAFOs in Oklahoma. In most situations, chicken CAFOs operate under a strict program and set of contractual requirements imposed by “integrators.” Integrators are large companies, like Tyson’s Foods or Simmons. These integrators contractually have the right, and in our experience often dictate the way that wastes from CAFOs are managed. Accordingly, we believe that such integrators should be regulated, and the requirements of their contracts which would impact permit requirements subjected to scrutiny to ensure that the operation of a CAFO meets the requirements of the Clean Water Act. The ODAFF proposed rule neglects entirely to address the question of large integrator control over the animal wastes, and as such fails to implement the requirements of the Clean Water Act by ensuring that those persons</p>	21

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David Ocamb Sierra Club		3) The ODAFF's penalties for violation of the AgPDES appear to be less stringent than the federal penalties for the violation of the same rules. ODAFF state that it "understands and agrees to follow the principles outlined in applicable EPA CWA penalty policies and any future revisions of these policies." Yet, it is believed that ODAFF's proposed penalties are significantly less than those imposed by federal requirements. Accordingly, ODAFF's proposed rules are "less stringent" than federal requirements, and fail to pass muster under Section 501 of the Clean Water Act.	22
Jackie Gaston		ODAFF's penalties for violation of the AgPDES are less stringent than federal penalties for violations of the same rules.	22
Osage Nation		Concurs	23
Marla Peek	Hear	<p>Good evening and welcome to Oklahoma. I'm Marla Peek with the Oklahoma Farm Bureau. I serve as our Director of Regulatory Affairs. I'm speaking tonight on behalf of the largest agricultural organization in the state, the Oklahoma Farm Bureau, with more than 24,000 member families.</p> <p>Our grassroots members have long supported the Oklahoma Department of Agriculture Food and Forestry, earning this NPDES delegation and "earning" is the key word here for many years. We know that those local entities who understand agriculture best are best equipped to regulate it.</p> <p>Since 1997, Oklahoma has been at the forefront of environmental protection for concentrated animal feeding operations and poultry feed operations. For many years Oklahoma's law has exceeded the basic requirements of federal law by requiring phosphorus-based nutrient management plans.</p> <p>As has been mentioned before, while ODAFF performs some agricultural promotion like agriculture in the classroom, agritourism, and market development, the promotional aspects are minuscule in comparison to their regulatory responsibilities.</p> <p>The ODAFF touches the daily lives of Oklahomans and often in many ways that the public is not even aware. They regulate things that Oklahomans take for granted. For example, Oklahoma's Consumer Protection Services Division protects consumers and agricultural producers by collecting and analyzing samples of feed, fertilizer and seeds to make sure that manufacturers are meeting the purity, content and safety guarantees.</p> <p>The pesticide program licenses pesticide applicators and investigates complaints including termite treatment complaints. Consumer Protection Services also inspects greenhouses and nurseries to safeguard the quality of</p>	24

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		<p>plants that are purchased by consumers and they make sure that they are free of harmful insects and diseases.</p> <p>The Consumer Protection Division tests commercial weighing and measuring devices ranging from large truck scales to meat scales in the supermarket.</p> <p>ODAFF's Food Safety Division enforces state and federal laws relating to the production of food and food products derived from animals, making sure that the food supply derived from meat, poultry, eggs and milk is safe and properly labeled.</p> <p>ODAFF's Forestry Services Division, the mission is to conserve, enhance and protect the forest resources of the state. They offer a wide range of technical and financial assistance to landowners and they're very concerned about protecting Oklahoma's citizens from wildfires.</p> <p>At ODAFF the Office of the General Counsel facilitates rule-makings and assists in assuring compliance with laws applicable to agriculture by auditing and investigating violations of the Oklahoma Agriculture Code made up of our state laws and rules.</p> <p>The division's attorneys work on a variety of cases and provide legal counsel about laws, rules and procedures involved in administrative, civil and criminal actions. They draft and review contracts, memoranda of understanding, and settlement agreements, and in administrative proceedings, they serve as meeting and hearing officers.</p> <p>ODAFF's Agricultural Environmental Management Services, and I call it AEMS, which will oversee the delegated CAFO program was created in 1997 when the state legislature recognized the need for a division dedicated to protecting the state's soils and waters from animal waste. AEMS was created within ODAFF to help develop, coordinate and oversee environmental policies and programs. Their mission is to work with producers and concerned citizens to protect Oklahoma's environment from potential waste from livestock.</p> <p>AEMS has a complaint hotline which is manned between 7:30 a.m. to 5:00 p.m. Messages can be left on the voice mail after 5:00 p.m. All complaints are public information. Complaints may be made anonymously but the division would not be able to contact the complainant about the complaint's resolution if they don't provide their contact information. AEMS investigates all complaints, including the anonymous ones.</p> <p>Oklahoma Farm Bureau members, as I mentioned before, have had a longstanding policy of preferring ODAFF as the regulatory authority to regulate agriculture rather than any other agency.</p>	

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		<p>The CAFO program is a natural fit for ODAFF. Typically, an environmental agency regulates municipalities and businesses that had a NPDES discharge permit for effluent where the regulated entities actually discharge into a creek or river. ODAFF will be regulating CAFOs with NPDES permits which are non-discharging, meaning the CAFOs will not discharge effluent to the creeks and rivers. The CAFO operators and the livestock producers will land-apply the animal manure that is generated to crops and pastures in a manner that is beneficial to the plants and protective of the environment.</p> <p>I've worked closely with the AEMS Division for a number of years. It's been my observation that the division takes its regulatory responsibilities very seriously and they possess a number of well-trained and educated staff.</p> <p>Over the past years when I have heard anyone claim they thought a livestock facility was not obeying the law, I have encouraged them to make an official complaint. If the complaint was determined to be valid, I believe AEMS took the corrective action as required by law.</p> <p>Assisting facilities in maintaining regulatory compliance is one of the many focuses of AEMS. Farm Bureau, as an agricultural organization, does not want one bad actor giving the entire livestock industry a bad name. AEMS is dedicated to make sure that won't happen.</p> <p>ODAFF has been working to earn, and again I say "earn" delegation, for more than a decade. The state legislature has provided their blessing and support by appropriating the funding necessary to meet EPA's requirements to administer the CAFO program.</p> <p>It is quite probable when the CAFO delegation comes into effect that Oklahoma's facilities will receive greater scrutiny because of local well-trained inspectors who understand CAFOs and who are consistent and regular in their review of facilities.</p> <p>Farm Bureau and other agricultural organizations and the state legislature's agriculture committees will be monitoring AEMS when they officially get the delegation. Achieving NPDES delegation for CAFOs has been a multi-year process supported by livestock producers, agricultural organizations and their members, and officials in state government is certainly a milestone for the livestock industry in Oklahoma.</p> <p>Farm Bureau is convinced that ODAFF will operate and NPDES CAFO program in an exemplary manner that benefits livestock producers and is protective of the environment. Thank you.</p>	
Cheyenne Dixon		I am writing to express my support for the application submitted by the Oklahoma Department of Agriculture,	24

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KaraThex Martha Martinez Juan Ovalle Brett Ramsey Wathina Luthi Lori Ramsey Dale Ramsey Patty Fariss		<p>Food and Forestry (ODAFF) for authorization of the Agriculture Pollutant Discharge Elimination System (AgPDES) pursuant to Section 402(b) of the Clean Water Act.</p> <p>Authorization for the AgPDES program at ODAFF has been a priority of the State of Oklahoma for almost 20 years. In 1994, the Oklahoma Legislature passed legislation directing ODAFF to pursue this authorization. This is an effort that has broad public support across the state. Legislation creating the AgPDES program was supported by an overwhelming bi-partisan majority in the Oklahoma House and Senate and the legislature has already allocated more than \$670,000 for administration of the program.</p> <p>As a pork producer in Oklahoma, I believe there is great value in state and federal agencies working together on programs like the AgPDES program. Approval of this application will eliminate duplication of services between ODAFF and Region 6 EPA.</p> <p>Again, I respectfully request EPA approve the application from the Oklahoma Department of Agriculture, Food, and Forestry for authorization of the AgPDES program.</p>	
Marla Peek Oklahoma Farm Bureau		<p>Please accept these comments on behalf of the largest agricultural organization in the state, the Oklahoma Farm Bureau (OFB), which has more than 24,000 members. Our grassroots members have supported the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) earning National Pollutant Discharge Elimination System (NPDES) delegation for many years. We know that those local entities who understand agriculture best are best equipped to regulate it.</p> <p>Since 1997, Oklahoma has been at the forefront of environmental protection for Concentrated Animal Feeding Operations (CAFOs), as well as poultry feeding operations, which rarely choose participation in the federal CAFO program. For many years, Oklahoma's law exceeded the basic requirements of federal law by requiring phosphorus based nutrient management plans.</p> <p>While the ODAFF performs some agricultural promotion -- such as agriculture in the classroom, agritourism and market development, these promotional aspects are miniscule in comparison to ODAFF's regulatory responsibilities.</p> <p>ODAFF touches the daily lives of Oklahomans, often in ways the public is not even aware. They regulate many things Oklahomans take for granted. For example, ODAFF's Consumer Protection Services division protects consumers and agricultural producers by collecting and analyzing samples of feed, fertilizer and seeds to make sure that manufacturers are meeting the purity, content and safety guarantees.</p>	24

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		<p>The pesticide program licenses pesticide applicators and investigates complaints, including termite treatment complaints. Consumer Protection Services also inspects greenhouses and nurseries to safeguard the quality of plants purchased by consumers, including checking to make sure they are free of harmful insects and diseases.</p> <p>The Consumer Protection Services division tests commercial weighing and measuring devices ranging from large truck scales to meat scales in the supermarket. They weigh packages to confirm they contain the stated net contents and check scanners in retail stores to determine if checkout prices accurately reflect advertised prices.</p> <p>ODAFF's Food Safety division enforces federal and state laws relating to the production of food and food products derived from animals, making sure the food supply derived from meat, poultry, eggs and milk is safe and properly labeled.</p> <p>ODAFF's Forestry Services division's mission is to conserve, enhance and protect the forest resources of the state. They offer a wide range of technical and financial assistance to landowners. They are also concerned with protecting Oklahoma citizens from dangerous wildfires.</p> <p>The Office of General Counsel's division facilitates rulemaking and assists in assuring compliance with laws applicable to agriculture by auditing and investigating violations of the Oklahoma Agriculture Code made up of state laws and rules. The division's attorneys work on a variety of cases and provide legal counsel about laws, rules and procedures involved in administrative, civil, and criminal actions. They draft and review contracts, memorandums of understanding, and settlement agreements. In administrative proceedings, they serve as meeting and hearing officers.</p> <p>ODAFF's Agricultural Environmental Management Services (AEMS), which will oversee the delegated CAFO program, was created in 1997 when the State Legislature recognized the need for a division dedicated to protecting the State's soils and waters from animal waste. AEMS was created within ODAFF to help develop, coordinate and oversee environmental policies and programs. The division's mission is to work with producers and concerned citizens to protect Oklahoma's environment from potential waste from livestock.</p> <p>AEMS has a Complaint Hotline which is manned between 7:30 a.m. to 5 p.m. Messages may be left on voice-mail after 5 p.m. All complaints are public information. Complaints may be made anonymously, but the division will not be able to contact the complainant about the complaint's resolution if they do not provide contact information. AEMS investigates all complaints, including the anonymous ones.</p> <p>OFB members have had a long-standing policy of preferring ODAFF as the authority to regulate agriculture rather than any other agency. The CAFO program is a natural fit for ODAFF. Typically, an environmental agency regulates</p>	

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		<p>municipalities and businesses that have a NPDES discharge permit for effluent where the regulated entities actually discharge into a creek or river. However, ODAFF will be regulating CAFOs with NPDES permits which are non-discharging permits -- meaning the CAFOs will not discharge effluent to creeks and rivers. The CAFO operators or livestock producers will land apply the animal manure that is generated to crops and pastures in a manner that is beneficial to the plants and protective of the environment.</p> <p>Having worked closely with the AEMS division for a number of years, it has been my observation that the division takes its regulatory responsibilities seriously, possessing a number of well-trained and educated staff. Over the past years when I have heard anyone claim they thought a livestock facility was not obeying the law, I have encouraged them to make an official complaint to the division. If the complaint was determined to be valid, I believe AEMS took the corrective action, as required by law. Assisting facilities in maintaining regulatory compliance is one of the main focuses of AEMS. Farm Bureau, as an agricultural organization, does not want one "bad actor" giving the entire livestock industry a bad name. AEMS is dedicated to making sure that does not happen.</p> <p>ODAFF has been working to earn delegation for more than a decade. The State Legislature has provided their blessing and support by appropriating the funding necessary to meet EPA's requirements to administer the CAFO program. It is quite probable when CAFO delegation comes into effect, CAFO facilities in Oklahoma will receive greater scrutiny because of local, well-trained inspectors who understand CAFOs and who are consistent and regular in their review of facilities.</p> <p>OFB, other agricultural organizations, and the State Legislature's Agriculture Committees will be monitoring AEMS when they officially receive delegation. Achieving NPDES delegation for CAFOs has been a multi-year process supported by livestock producers, agricultural organizations and their members, and officials in state government. It is certainly a milestone for the livestock industry in Oklahoma.</p> <p>OFB is convinced ODAFF will operate the NPDES CAFO program in an exemplary manner that benefits livestock producers and is protective of the environment.</p> <p>Thank you for your consideration in this matter.</p>	
Joe Neal Hampton		Please be advised that the below listed organizations support the Environmental Protection Agency giving NPDES delegation to the Oklahoma Department of Agriculture, Food and Forestry. Thank you.... Oklahoma Grain and Feed Assn., Oklahoma Agribusiness Retailers Assn., Oklahoma Seed Trade Assn.	24
Representative Don Armes	Hear	Representative Don Armes, State Representative, District 63, chair of the Natural Resources A&B Subcommittee and in charge of all the regulatory agencies for the State of Oklahoma, House side anyway. A couple of things I'd like to just make sure we know is that, first of all, the ODAFF has issued CAFO permits since the late '60s pursuant to state law and has conducted federal inspections on behalf of EPA through a memorandum agreement since the	24

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		<p>mid-'90s.</p> <p>EPA has never once identified a conflict during this long history of our regulation of CAFOs. EPA frequently states that they do not have the resources to perform CAFO functions without help from their state partners, which we would like to be, and continue to be.</p> <p>ODAFF also has a long history of working directly with EPA on CAFO programs and part of obtaining authorization to run the Clean Water Act and agricultural programs involves showing EPA that we have both resources and the people to perform these functions, and I believe that is the case. Those details are part of the application package from the Department of Agriculture.</p> <p>And on a personal note, I have worked under two different governors and two different ag commissioners in my tenure. I've been in the House for ten years. My first chairmanship was chairman of the Environment Committee in 2004. I spent two years as that chairman.</p> <p>I chaired the Agriculture Committee after that and now have moved into Natural Resources which is the funding or the appropriation committee for the Department of agriculture, tourism, commerce, and all those. And we also oversee the regulatory agencies, the Department of Insurance, things like that.</p> <p>I have watched over the years and, again, I've been there ten years and in some position of authority to oversee some of the things that happen from the Ag Department and I've seen a very dedicated staff go out and really take a lot of care in how they approach permitting and things like that. They're very dedicated, very complete. One thing I also will note is that I have probably in my ten years the majority of calls that I've gotten have been from an overzealous regulatory side that maybe had gone a little farther than the producers might have thought they should of.</p> <p>Now, for folks like the Sierra Club that seem to have trouble with leadership, I want to say that that's not the case, and the case is that that leadership has been strong under the commissioner prior to Secretary Reese, or the secretary prior to Secretary Reese, as well as this secretary currently, which is Secretary Reese. I've seen them go out and actually do what they're supposed to do, which is exactly what we want. I think it's what the EPA wants and I would encourage you to go ahead and utilize them to the best of your ability because I think they do a good job and I've seen it with my own eyes and been around a while.</p> <p>Thank you very much, and we appreciate the opportunity to make comments. Thank you.</p>	
Pat Burt	Hear	Thank you for coming here and allowing us to let you hear some of the things that we have to say concerning this issue.	24

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		Currently, a single farm has two separate government agencies regulating them for the same things. Delegation to ODAFF would eliminate this duplication. ODAFF has currently been in charge of CAFO permitting already in the State of Oklahoma so it would only make sense that they would take over this process from EPA Region 6. Thank you.	
Terry Detrick	Hear	<p>Thank you, and thank you for this hearing evening and for your time. My name is Terry Detrick with American Farmers and Ranchers. I represent producers and consumers from every county in the State of Oklahoma and we have since two years before statehood, with our family memberships and all included, probably 80,00 people across the State of Oklahoma.</p> <p>I have to say that I agree with my colleagues that have already talked on behalf of agriculture this evening and the Department of Agriculture. I think what we're talking about this evening is all about trust, and I think trust has already been demonstrated in the Oklahoma Department of Agriculture in allowing them to do, and asking them to do, what they've already been doing, and doing it successfully. Besides that, I think the trust has already been established between DEQ, Oklahoma Department of Agriculture, and EPA.</p> <p>You maintain the oversight authority; you have all the authority over them. They're basically just working for you. I'm not here, and I don't believe any of my colleagues are here, to doubt the integrity of your organization or the Oklahoma Department of Agriculture or the Department of Environmental Quality. We bank on that.</p> <p>I am just here to encourage you to capitalize upon the credibility that's already been established. It doesn't have to be re-established, doesn't have to be proven. It's already been established. And I would encourage EPA to capitalize upon that to continue to pursue granting this authority with the Oklahoma Department of Agriculture. Thank you.</p>	24
Mike Thralls	Hear	<p>Thank you. As you said, I am Mike Thralls. I'm the executive director of the Oklahoma Conservation Commission and have been in that position for 5 years. I thought I would address this evening some of the concerns I know folks are not extremely familiar with how we handle environmental divisions here within the state government, that idea, and reassure them of how dedicated this state is to provide environmental protection.</p> <p>Jim's already mentioned that it was in the early '90s that environmental responsibilities were divided among the state agencies, and since that point in time I think that Oklahoma has a steady record that we provide consistent environmental protection.</p> <p>Some states divide environment protection to one or two or three agencies. We have a few more than that. In our particular instance, where I work at the Conservation Commission, we work on nonpoint source voluntary aspects of nonpoint source pollution across the state and have been able to sow considerable success through</p>	24

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		<p>Section 39, the Clean Water Act. That's our area that we have responsibility over.</p> <p>And we've published a number of success stories Jim, the Secretary, referred to a little bit earlier, and Mr. Honker and I were visiting a little bit earlier about that. One of the things I think it's a secret to our success is you can argue that large agencies maybe do a better job but you can also or may be more efficient, I would say it that way, or you can also point out that smaller agencies are a lot more accessible and therefore responsive to concerns of the citizens.</p> <p>It's not that hard to get directly to either me or to Steve Thompson over at the DEQ or to Mr. Reese if you have a complaint. And certainly, if you go ask the legislature, that comes very quickly. We don't have much bureaucracy to hide beyond.</p> <p>And I'd also say in my 5 years' experience, I've watched the folks I head an environmental agency; I'm one of their colleagues. I know a number of the people at the Department of Agriculture as well as the DEQ. I know their commitment to doing a quality job, a very reasonable job, a job that protects the environment and at the time allows our economy to work and to thrive.</p> <p>And, finally, I'd make a comment about Secretary Reese who happens to head the Department of Agriculture at this time. I've worked for three governors and three different commissioners, but in a former life, Secretary Reese headed the Farm Service Agency and we collaborated at that point in time to put in place a Conservation Reserve Enhancement Program. It was the first one that the state had endeavored to do.</p> <p>It was for the protection of the Eucha Spavinaw watershed that provides 50 percent of the water for the City of Tulsa and had some nutrient issues and then, also, for the Illinois River that I'm sure you all are familiar with. It's a scenic river in the eastern part of the state.</p> <p>He was very, very supportive and really worked the USDA side of helping to get that put in place and I've seen that he's been consistently dedicated to fair and successful and really meaningful protection of the environment while still allowing industry to thrive.</p> <p>So that program has continued to be in place. In fact, it's we talked the other day. Our sister state Arkansas has initiated a similar program but they've struggled some with having as much success and I think you can credit the success that we've had on the Oklahoma side with the collaboration that exists between state agencies and with the dedication of each of those agencies to get real results that do protect the environment, that do protect water. Thank you.</p>	
Roy Lee Lindsey, Jr.	Hear	Thank you. My name is Roy Lee Lindsey. I'm the executive director with the Oklahoma Pork Council. We	24

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		<p>represent about 5,000 people in the State of Oklahoma that work in the pork industry.</p> <p>I think it's very there's been a number of comments made and I don't want to repeat all of them but I think there are some that are very important that maybe we should. One is there's been very broad public support for the Department of Agriculture seeking this authorization. Secretary Reese mentioned the first legislation was passed in 994 directing the Department of Agriculture to pursue authorization.</p> <p>In 2004 we attempted to rewrite we recognized we had to change some of our written laws to be in compliance so that we could further pursue authorization, and we pushed legislation through the Capitol right up to the end of that legislative session when I think it's the Second Circuit Court in New York threw out most of the federal capital rule and said we've got to rewrite all that and we had to put a complete halt to the legislation we were doing.</p> <p>Prior to that there had only been about eight no votes in the legislature on that legislation as it was going through. Once the new federal capital rule was rewritten and issued, in 2006 we went back to the legislature and again said we need to make these changes so that we can pursue authorization, and there were less than five no votes against that legislation. So out of 49 legislators, only five saw fit to say they didn't think that was a good idea. I think that demonstrates very broad public support for this effort.</p> <p>Representative Armes and Secretary Reese both mentioned the dollars that have been appropriated, so long before EPA ever said, We're going to give you authority in very budget-strapped years, the state said we'll find \$670,000 to fund this effort. So again I think that demonstrates very broad public support for this effort.</p> <p>All farmers in the State of Oklahoma have for more than almost 5 years now operated with some of the most stringent regulations in the country and in many cases those regulations have exceeded what EPA would require us to do. We've worked very closely with ODA on those, sometimes in a very friendly manner, sometimes in not so friendly a manner, but we have great respect for the work that they do and we know that one thing is certain. Whatever the law says, that's what ODA will do. And there's never been a question about that.</p> <p>We may not always like what the law says but we know that that's where they'll be. And so when we talk about EPA going ahead and essentially formalizing the work ODA's been doing for you they've been doing inspections for you already. We think that it's a tremendous partnership; we think it actually will go to the point of encouraging agriculture producers to seek coverage under an NPDES permit.</p> <p>I know this comes as a shock to folks but the letters EPA tend to scare farmers, and so if you can set up a system</p>	

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		<p>where they can work with the people they already know, the folks that they see on a regular basis that do inspections of their farm, I think you'll see more of them pursue permitting, which is the whole goal of the NPDES program is to get people to participate and to get them to be permitted. I think this is a step forward both for Oklahoma and for EPA and we would encourage you to go ahead and grant the authorization.</p>	
Secretary Jim Reese	Hear	<p>Well, first I want to thank you, thank the EPA for your cooperation in this process and answer a few questions that were asked previously. How many state-licensed CAFOs are there in the state. There's 278. There have only been 50 that have applied for CAFO licenses right now, permits. And part of that is a number of those are wholly contained evaporative units and do not have any intention of discharging into the streams of the waters of the US. And so we expect there probably will be more apply for permit applications once we get delegation but that's the numbers right now.</p> <p>Secondly, why did ODAFF apply? You have mentioned a number of times that August 6, 2012, was our final application but it's very important to note that in 1994 the Oklahoma legislature passed a state that asked ODAFF to request authorization or delegation of this process. That's 8 years ago the legislature requested the Department of Agriculture to do it.</p> <p>This current application began five or six years ago, clearly before this administration. I think it's important to note that this request from the State of Oklahoma being delegated this authority has gone through both Republican administrations and Democrat administrations at the state level, both Democrat administrations and Republican administrations at the federal level, and so this isn't a political issue.</p> <p>The State of Oklahoma...we're talking about this authority being delegated to the State of Oklahoma and the State of Oklahoma has clearly indicated that ODAFF is the choice and we are simply following through with the legislative request. So this isn't something that just happened on August 6, 2012.</p> <p>And then in 2009, the legislature specifically appropriated \$673,000 for this purpose, and the Department of Agriculture has retained that \$673,000 for this purpose and so we intend to use it on this purpose.</p> <p>EPA knows this but other people may not know this we are currently doing CAFO inspections in the State of Oklahoma. We have a memorandum of understanding with the EPA that we do the inspections. We turn in the inspections; the EPA makes the recommendations and issues the permits. So this isn't a life-changing change here. We aren't pushing mountains into oceans. We're simply taking the entire process the EPA has total authority currently; they'll have total authority in the future. But essentially the State of Oklahoma will be doing the work and EPA will be overseeing it.</p> <p>There have been emails saying that we can't regulate ourselves. We regulate milk processing, milk, dairies, eggs,</p>	24

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		<p>scales at grocery stores. I hate to add prices of candy bars, prices of beer, but we are a heavily regulatory agency. People don't know that. We have 435 employees and only 22 of our employees are in the Market Development Division.</p> <p>We're not a one-pony state. The Department of Agriculture works with the Conservation Commission. We work with the conservation districts; we work with the Water Resources Board, and I know I shouldn't name these because I'm going to leave somebody out but DEQ, NRCS, FSA, USGS, in fact, those even involved in lawsuits, Arkansas and Tulsa, a lot of the NGOs. We work with all of those agencies and all of those non-government agencies. And so working with all of the state working together, so how have we been doing?</p> <p>Well, actually, we've been doing pretty well in Oklahoma. We've removed 30 streams from the EPA impaired list. We removed streams from the EPA list last year. We're pretty sure that we're number one in American in the reduction of phosphorus loading in our streams and we're pretty sure that we're in the top we know we're in the top five in the reduction of nitrogen in our streams.</p> <p>So in the State of Oklahoma, working together, all of our agencies, in fact, all of our non-government organizations are working together to try to clean up our streams and we'll continue to do that. Agriculture's best interest is to continue to be good neighbors, to conserve our resources, and we know that we'll do that.</p>	
Scott Dewald	Hear	<p>Yes. Thank you. It's Scott Dewald with the Oklahoma Cattlemen's Association. I probably scribbled that very fast because I've been working on this issue since 994. And so I'm privileged to be with the Oklahoma Cattlemen's Association which represents about 6,000 beef producers in the State of Oklahoma.</p> <p>I served a stint at the Oklahoma Department of Agriculture, left there and was with the Office of the Secretary of Environment of the State of Oklahoma as we started to pursue this. Also, when we went through the delegation, or the separation of duties at the State Capitol Building on who should take care of what Corporation Commission, DEQ, and otherwise, I was involved in all of those discussions.</p> <p>I would echo a lot of the thoughts that have been made today. I do have the utmost respect for the Oklahoma Department of Ag Food and Forestry. One of the questions that was asked is what other states in this region allow their Department of Agriculture to take on this task.</p> <p>I think it's important to note that...take the State of Arkansas... they haven't had a Department of Agriculture for maybe five years so, to them, we've been, we're pursuing partial delegation for NPDES permitting prior to them even having a Department of Agriculture.</p>	24

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		<p>A lot of people may also ask why should the Department of Agriculture be granted this authority. We know that we saw Title 27 A; you see what says very clear. You see what the legislative authority says very clear in terms of those divisions of power, but I think you can also go back clear up to 907 when our state constitution was adopted and it was written in there that anything dealing with the animal industry it continues today shall be regulated by the Oklahoma Department of Agriculture.</p> <p>That is a constitutional element, of which I have a copy of that for you. I did not copy all 69 pages of our constitution, but the separation of powers and duties, I did. I'd like to submit that to you tonight and, further, I'll be submitting written comments, so thank you.</p>	

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**** Commentors to Standard Comments 1-5

Adrienne Rogers
Brenda Evans
Dr. Betty White
Dr. Charles Wesner
Dr. Cindy Pilgrim
Dr. Dr. Stan Gassaway
Dr. Elizabeth Bergey
Dr. Fran Stallings
Dr. James Bethel
Dr. James Vogh
Dr. Jennifer Saltzstein
Dr. Jeremy Kuzmarov
Dr. John Harris
Dr. Michael Beilfuss
Dr. Michael Givel
Dr. Moe Karami
Dr. Rebecca Sherry
Dr. Susan Caldwell
Dr. Teresa Appleton
Dr. Valerie Fuller
Joe Neal Hampton
Joy Avery
Michael Givel
Miss Ashley Greer
Miss Brett French
Miss Charisse Piro
Miss Darla Bennett
Miss Kelsey Spears
Miss Kerrie Burgess
Miss Linda Dempsey
Miss Rachel Cannon
Mr. Anthony Rodriguez
Mr. Bill Lamb
Mr. Brandon Crabill
Mr. Brett French

Mr. Brian A
Mr. Brian Figgins
Mr. Bruce Lowe
Mr. Carl Barnwell
Mr. Casey Holcomb
Mr. Casey Powers
Mr. Chadwick Cox
Mr. Charles Kaminski
Mr. Chris Applegate
Mr. Chris Gibson
Mr. Chuck Gleba
Mr. Cloud Phillips
Mr. David Braden
Mr. David Dyer
Mr. David Franklin
Mr. David Hawkins
Mr. Don Nelson
Mr. Donald Peacock
Mr. Duane Wittman
Mr. Erwin Hancock
Mr. Frank Anderson
Mr. Gary Herdman
Mr. Greg Tomblin
Mr. Gregory Dickson
Mr. Ivan Hutchcroft
Mr. Jack Pursell
Mr. James Hancock
Mr. James Loller
Mr. James Nimmo
Mr. James Oglesby
Mr. Jamie Tacker
Mr. Jeff Brown
Mr. Jeremy Mahmood
Mr. Jimmy Stewart
Mr. Joel Hudson
Mr. Joel Olson
Mr. Joey Paz
Mr. John Hartman

Mr. John Havens
Mr. John Jolley
Mr. John Teague
Mr. Joseph Foster
Mr. Joseph Graham
Mr. Joseph Spitz
Mr. Ken Barnes
Mr. Kim Roberts
Mr. Larry & Susan Bruce
Mr. Larry Bailey
Mr. Larry Darnell
Mr. Larry Shepard
Mr. Mark Manley
Mr. Mark Ross
Mr. Marshall Neill
Mr. Michael White
Mr. Mike Dumford
Mr. Montie Jones
Mr. Nicholas Hartman
Mr. Noel Torrey
Mr. Pat Daly
Mr. Patrick Spurlock
Mr. Paul Moore
Mr. Peter Allan Childs
Mr. Philip Delacruz
Mr. Phillip W.
Mr. Randy Ledford
Mr. Ray Brookshire
Mr. Reginald King
Mr. Richard Davis
Mr. Rick Poland
Mr. Robert Ahrendt
Mr. Robert Justice
Mr. Robert McIlroy
Mr. Rodney & Terri Jones
Mr. Ross Paulger
Mr. Ruben Garcia
Mr. Scott Hood

Mr. Shawn Owen
Mr. Stephen Frazier
Mr. Steve Trammell
Mr. Terry Ratliff
Mr. Theodore Plottner
Mr. Thomas Bisanar
Mr. Thomas Kovach
Mr. Thomas Sanford
Mr. Tyler Sullivan
Mr. Venson Fields
Mr. Victor Sansalone
Mr. Warren Osborn
Mr. William Cunningham
Mr. William Modrall
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Mrs. Candace Hibbard Lillie
Mrs. Carol Watson
Mrs. Cathy Thompson
Mrs. Connie Seibold
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Mrs. Donna Davis
Mrs. Donna Waltman
Mrs. E. Sharon Wilson
Mrs. Elaine Root
Mrs. Hannah Harder
Mrs. Janet Hornsby
Mrs. Jenilyn Spates
Mrs. Joni Davis
Mrs. Lee Anne Hiller
Mrs. Leslie Smith
Mrs. Linda Langmacher
Mrs. Lorri Redmon
Mrs. Ludmila Dmitriev-Odier
Mrs. Marcy Scott
Mrs. Marjorie Hass
Mrs. Mary Lea Wallace

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**** Commentors to Standard Comments 1-5 (continued)

Mrs. Michelle Price
Mrs. Mildred Banks
Mrs. Monica Griffin
Mrs. Nancy Sander
Mrs. Nicole Chau
Mrs. Rachel Gurfinkel Hicks
Mrs. Roseanne Hartman
Mrs. Sarah Hall
Mrs. Shirley Bryant
Mrs. Shirley Driever
Mrs. Suan Schmidt
Mrs. Talin Schotters
Mrs. Teresa Tucker-Trainum
Mrs. Terri Sanders
Ms. Aharen Richardson
Ms. Amanda Webster
Ms. Andrea Smith
Ms. Andrea Teter
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Ms. Ann Martin
Ms. Ashley Roy
Ms. B. Geary
Ms. Barbara Bannon
Ms. Beth Skye
Ms. Bobbie Daily
Ms. Candace Frates
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Ms. Catherine Johnson
Ms. Charlene Posey
Ms. Christina Kunz
Ms. Colata Harlan
Ms. Cynthia Williams
Ms. Darla Reynolds-Sparks
Ms. Darlene Litton

Ms. Dawn Armstrong
Ms. Dawn Mahiya
Ms. Deanna Homer
Ms. Debe Judah
Ms. Denise Deason-Toyne
Ms. Elizabeth Morsund
Ms. Fannie Bates
Ms. Gail Sloop
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Ms. Mary Price
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Ms. Patrick Murphy
Ms. Rachel Connaughton
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Ms. Rebecca Oberlin
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Ms. Robin Feusner
Ms. Robin Patten
Ms. Sally Blevins
Ms. Sally Hill
Ms. Shelli Kitchens
Ms. Shirley Burton
Ms. Susan Hovis Sikes
Ms. Susanne Adams
Ms. Susans Singh
Ms. Tam Jordan
Ms. Traci Reeve
Ms. Wilma Hays
Ms. Zoe Harty
Rev. Mildred Banks
Scott Dittner
Steven Pritchard